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THE SPEECHES OF
M. TULLIUS CICERO
AGAINST
CATILINE AND ANTONY
AND FOR
MURENA AND MILO

TRANSLATED
(FROM THE TEXT OF KAYSER)

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DEDICATED TO THE REV.
THEOPHILUS B. ROWE, M.A
AS A MARK OF GRATITUDE
FOR HIS
JUDICIOUS KINDNESS
AND
STIMULATING TEACHING

PREFACE

THE Latin language, as employed by Cicero, is an almost perfect instrument for the expression of ideas oratorically (that is, not only in the exact order in which they are to be presented to the mind of the hearer, but also with the exact amount of emphasis which is to attach to each), by means of sentences which leave a harmonious impression of niceness of phrase combined with completeness of statement. To reproduce these qualities, together with the correct sense, in a language of widely different formation and genius, is really impossible ; the three qualities of logical arrangement, distinct emphasis, and well-balanced rhythm, which make up a Ciceronian style, can only be preserved at great sacrifices of literalness in rendering. My aim has been, therefore, while avoiding on the one hand the conventional dialect of the class-room, which is rarely quite intelligible without the Latin, and on the other the slipshod slanginesses of most modern English, to

translate, so far as the difference between a synthetic and an analytic language admits, Cicero's Latin into Ciceronian English. In order to hit the mean between literalness and paraphrase while using the utmost care to ensure correctness of meaning, I have found myself obliged to study equivalence rather than identity of expression. Phrases and metaphors seldom coincide both in form and in meaning in the two languages; and my work is therefore to a great extent a literary experiment to determine the 'values' of Latin and English, illustrated by a version of some of Cicero's best known and most remarkable speeches.

The text of Kayser (Tauchnitz, Leipzig, 1862) has been followed throughout, even to the complete omission of nearly all the words or sentences bracketed out by him. For the interpretation I have consulted the ordinary aids to the study of Cicero, especially the notes to these speeches by Halm and his English followers: but I have not referred, except occasionally for comparison, to other translations. A few explanations to bring out the full force of special allusions are added in footnotes: but I have assumed some general knowledge of Roman names and institutions.

I must acknowledge most gratefully the help of my friends, Mr. C. Cannan, M.A., Fellow and Tutor of Trinity College, Oxford, and Mr. F. W. Hall, M.A., lately Scholar of the same, and now Assistant Master at Westminster, who have read the proof-sheets of my versions of the Second Philippic and the other speeches respectively, and made many valuable suggestions.

HERBERT E. D. BLAKISTON.

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CONTENTS

	PAGE
INTRODUCTION	ix
CHRONOLOGICAL SUMMARY	xxii
FIRST SPEECH AGAINST CATILINE	I
SECOND SPEECH AGAINST CATILINE	22
THIRD SPEECH AGAINST CATILINE	41
FOURTH SPEECH AGAINST CATILINE	60
SPEECH FOR MURENA	78
SPEECH FOR MILO	144
SECOND PHILIPPIC (AGAINST ANTONY)	209

INTRODUCTION

THE speeches included in this volume are among the best-known examples of Cicero's oratory, and may be taken as fairly representative of the different methods and styles which he considered appropriate to different audiences and occasions. Of the Catilinarian Orations, the first and fourth are speeches delivered in the senate, the latter being a carefully meditated contribution to a debate on a difficult question of public policy. Cicero's masterpiece of invective, the Second Philippic, which is really a pamphlet and not a speech, professes to be an extempore reply, also in the senate, to a personal attack made upon him by another member of the house. The second and third Catilinarians were addressed to mass-meetings of the Roman populace, and are of a more popular and less reasoned character. The defence of Murena, which completes Cicero's own narrative of his conflict with Catiline, contains a series of irrelevantly humorous disquisitions blended with a skilful appeal to patriotism and political expediency; it is admirably adapted to divert the attention of a common jury. The pamphlet which professes to be

a speech delivered in defence of Milo is a combination of special pleading and acute reasoning from circumstantial evidence, which would not have failed to impress even the most carefully selected jurors on a special commission.

These speeches also mark the chief turning-points in Cicero's political career; they belong to the year of his consulship, the year when the quarrel between Pompey and Cæsar became inevitable, and the year of Cæsar's murder; and the closing sentences of his greatest display of eloquence refer back to his greatest performance as a statesman twenty years before. But while they differ widely in circumstances, style, date, and effect, they are marked by complete unity of political principle, and by that unfaltering adherence to constitutionalism, which distinguishes Cicero so honourably from the opportunist or self-seeking party leaders of the day. They have also in one way a unity of object, as constituting Cicero's most deliberate arraignments of his three most dangerous opponents. The *Catilinarians* with the *Pro Murena* record his successful resistance to Catiline; the *Pro Milone* is less a vindication of his client than a summary of his objections to Clodius; and the *Second Philippic* is even in the passages nominally defensive so comprehensively scathing a review of the scandals which had, not without reason, attached themselves to the public and private life of Antony, that it is not surprising that

the insults were only wiped out in blood. The speeches filled with the technicalities of civil suits and those which, like the Verrines, deal with the details of provincial government, are not represented here, as less essential to an appreciation of Cicero's genius and career.

M. TULLIUS CICERO was a native of Arpinum, and rose to eminence at Rome first as a successful advocate in cases where it required some courage to criticise Sulla's favourites, and afterwards as the prosecutor of the ruffian Verres. His ability was soon recognised by the leading politicians at Rome, as well as by the Italian voters, by whose united support he gained the consulship in 63 B.C. at the earliest age allowed by law. Cn. Pompeius Magnus was still absent in the East; and it was left to the consuls of the year to deal as civil magistrates with an anarchist movement which had been gathering strength for some years under the guidance of a *déclassé* patrician, L. Sergius Catilina, not without some sympathy from the leaders of the middle-class capitalists and the popular party, M. Licinius Crassus and C. Julius Cæsar. The other consul, C. Antonius, was untrustworthy even after he had been bribed to inaction by the promise of the more lucrative province; but Cicero could rely on the aid of the Knights as a class as well as on the conservative party of the Optimates, who predominated in the senate. He secured full information as to the

meetings and plans of Catiline and his associates ; and the Calpurnian Law, passed in 67 to check bribery at elections, was amended as a means of dealing with Catiline, who was standing for the consulship for 62, the other candidates being a learned but unpractical lawyer, Servius Sulpicius, an able military man, L. Murena, and a commonplace noble, D. Junius Silanus. The elections had been delayed till September, and were fixed for October 21st, when on October 20th Cicero prepared to strike, and proposed a further postponement in order that the senate might meet to discuss the situation. On the 21st he denounced Catiline, who replied insultingly ; and the senate proceeded to arm the consuls with exceptional powers. The elections, held on October 28th, resulted in the return of Murena and Silanus ; but Sulpicius, embittered by disappointment and stimulated by the still more impracticable Stoic *doctrinaire*, M. Cato, determined to prosecute Murena under the Tullian Law against bribery. Nine days later it was known that Catiline's lieutenant, C. Manlius, had broken out in Etruria ; and on the night of November 5th, the conspirators finally settled their plan of campaign, the first act of which was to be the assassination of Cicero early the next morning. Some hitch, the exact nature of which is not known, forced them to defer this stroke for twenty-four hours. Cicero was warned and took precautions, and on November 7th convened the senate in the Temple of

Jupiter Stator. Catiline had the audacity to attend, but was boldly exposed by Cicero in the speech afterwards published as the *First Catilinarian*. He lost his head, and left Rome for Etruria the same night; next day Cicero attempted to quiet the general anxiety and deter the remaining conspirators by the *Second Catilinarian*. Towards the end of the month Cicero defended the consul-elect in the *Pro L. Murena*; the speech as preserved bears marks of careful revision, and exhibits the most extraordinary coolness and detachment of mind in the presence of a most alarming crisis. Either Murena or his friends had probably been at least indiscreet; but Cicero's efforts to amuse the jury at the expense of the chief prosecutors, and to impress them with a sense of the danger of being left with only one consul, were completely successful.

Meanwhile Catiline's heterogeneous army was growing, and his associates in Rome prepared to strike on the day of the great slave-holiday, December 19. They were too numerous and influential to be arrested without very strong evidence of their anarchical designs; but their folly in trying to intrigue with the envoys of the Allobroges, a tribe of Transalpine Gauls, gave Cicero his chance. Nothing alarmed the ordinary Roman mind more than the idea of a Gallic invasion; and Cicero probably instructed the envoys to lead the conspirators to commit themselves in writing. The Gauls were arrested just outside Rome on the night

of December 2; and on the strength of the incriminating documents found in their possession, Lentulus, Cethegus, and several others were arrested. What followed is described in the *Third Catilinarian*, which was addressed to a mass-meeting held the same evening at the conclusion of the examination of the prisoners by the senate. On December 5, the senators met in the Temple of Concord to decide their fate; whether their action was constitutional or not was a point afterwards much contested. The earlier speakers voted for the punishment of death, but after the opposition of Cæsar, members began to waver, till Cicero interposed with the *Fourth Catilinarian*, advocating the extreme penalty. The same view was pressed by Cato in a speech which carried conviction to the whole house; and the conspirators were at once strangled in prison. Catiline and his army perished at the battle of Pistoria in the following year.

Cicero had saved the state; but Crassus was jealous of his superior ability and influence, and a profligate young patrician, P. Clodius Pulcher, intimate with Catiline and Crassus, soon had personal reasons also for hostility to the ex-consul who disproved the *alibi* which was the only defence he could set up when prosecuted by the authorities for his sacrilegious presence in Cæsar's official house in December, 62. Cæsar declined to quarrel with the useful and unscrupulous adventurer; Pompey on his return to Rome

in 61, would not commit himself; and the senate was unable to prevent Crassus buying Clodius's acquittal from the jury. The general political situation became strained, and chiefly owing to Cato's perverseness, Cicero's darling policy of an *entente cordiale* between the senate and knights collapsed in 61, and was soon succeeded by the informal and unconstitutional coalition of Pompey, Cæsar, and Crassus for purposes of self-aggrandisement, which is known as the first Triumvirate. Cicero, even if not invited to join the party, was requested to support it or at least refrain from opposing it, but would give no pledges. Accordingly Clodius, who had been hired to do the dirty work of the coalition, was only too glad to undertake the task of removing him from the scene; as tribune in 58 he proposed a bill outlawing any one who had put Roman citizens to death without trial. Cicero, finding himself deserted by the Optimates and deceived by Pompey and the consuls, fled from Italy; and was at once outlawed by a further bill.

Cæsar having finally retired to his work in Gaul, Clodius began to take a malicious delight in annoying and alarming Pompey. His disorderly proceedings were met with equal violence by the senate's champion, one T. Annius Milo, who on becoming tribune in 57, prosecuted Clodius, and was the main instrument in carrying out Pompey's wish that Cicero should be restored. In 56 Clodius prosecuted Milo for riot; and

there continued to be bad blood between him and Pompey, Cicero, and Milo, though open hostilities were discouraged by the reconciliation of Pompey to Cæsar and Crassus at the Conference of Luca. But the general situation grew rapidly worse and worse; increasing violence and corruption marked the elections to the higher offices; and the deaths of Pompey's wife, Cæsar's only child, Julia, in 54, and of Crassus in 53, dissolved the chief ties between the two great rivals. Clodius was making the most of his unrivalled capacity for mischief, when in January, 52, Rome was startled but pleased by the news that he had been killed by Milo's slaves in a chance encounter on the Appian Road. The circumstances are given clearly—from Milo's point of view—in Cicero's *Pro T. Annio Milone*; but it is probable that, though the actual meeting was more or less accidental on Milo's part, yet he may have been generally prepared to welcome the opportunity of disposing of a dangerous enemy. The mob indulged in a demonstration, and were easily induced to burn Clodius's corpse at and with the ancient *Curia Hostilia*. The senate appointed Lepidus interrex, but order was not restored till Pompey was made sole consul. He at once proposed a special commission to deal with the recent violence and anarchy. Milo was prosecuted by Clodius's nephews: the trial took place April 4-8 before a specially impanelled jury. Cicero, who was retained

for the defence, supposed that Milo would be supported by Pompey; but found that at the last moment Pompey had decided to dispense with Milo's services at Rome, since accident had relieved him of Clodius. The Forum was lined with troops; Cicero could not obtain a silent hearing; Milo was convicted and banished. Cicero, as a protest against Pompey's treachery, published the speech he might have delivered; but Milo wrote from Marseilles that the delicious mullets of the place made him feel glad that Cicero had been less effective at the trial. Milo eventually perished with M. Cælius in an attempt to raise South Italy against Cæsar in 48. Pompey's mistimed attempt to throw over the Optimates sowed in the minds of all but the most headstrong a distrust of his sincerity which damped the enthusiasm of his supporters in his struggle with Cæsar.

The year 52 witnessed Cæsar's final subjugation of Gaul by the defeat of the rebels under Vercingetorix; but he remained to complete the organisation of the provinces. At Rome Pompey drifted with the stream, and was eventually in 50 induced by the more violent optimates, such as the Marcelli, to menace Cæsar's interests in a way which left the latter no alternative but to invade Italy. For crossing the Rubicon he was furnished with an excuse by two of the new tribunes for 49, Q. Cassius and M. Antonius. The latter had been in his service and pay since 54; he was grandson

of the celebrated orator, nephew on the father's side of Cicero's colleague in the consulship, and on the mother's side of L. Julius Cæsar who had supported Cicero in the debate of December 5, 63, stepson of one of the most dangerous of the conspirators, P. Lentulus, intimate with Clodius's wife, Fulvia, whom he married after the death of her second husband, the younger Curio, and considered promising by Cicero himself at the time of Milo's trial. He was one of those who convened the remainder of the senate after Pompey's retreat to Greece; and was left in charge of Italy during Cæsar's first war in Spain. In 48, he prevented a catastrophe at Dyrrhachium, and commanded the left wing at Pharsalus. In Cæsar's second dictatorship, he was master of the horse, and suppressed the revolutionary attempts of Dolabella, Cicero's son-in-law. During the campaigns in Egypt and Africa, Antonius was occupied chiefly in promoting his own interests by ingratiating himself with the soldiers and buying up confiscated estates; after a serious difference with Cæsar as to the necessity of paying for his purchases, he was at last received back into favour, and after Cæsar's final victory over the relics of Pompey's party at Munda and his measures of reform and settlement in 46 and 45, shared his fifth consulship in 44. This consulship had also been promised to Dolabella; but though Cæsar intended to compromise the matter by allowing him to take his

place when he made his expedition against the Parthians, Antony would not consent, and obstructed the election by a scandalous abuse of his powers as augur. On February 15, 44, he tried the patience of the people so severely by his public offer of a crown to the dictator, that his act hastened the execution of the plot to which Cæsar fell a victim on the Ides of March.

Cicero, who had followed Pompey, and had returned to Rome in 48, had been to a certain extent conciliated by the clemency of Cæsar; and ventured tentatively into public life again by addressing Cæsar in support of banished friends. In Cæsar's murder he saw an unexpected chance for the restoration of the ancient constitution; and under his leadership the senate proceeded on March 17 to decree amnesty for Cæsar's murderers and confirmation of his acts. The conspirators received provinces, and had begun to leave Rome, when Antony, who had been trusted by them though suspected by Cicero, commenced making political capital out of Cæsar's funeral and papers in such a way as to indicate that he was intending to succeed him. From ostentatiously republican measures, he soon advanced to open disregard of the settlement of March; the senate at the advice of Cicero turned to Cæsar's youthful heir, C. Octavius (afterwards the Emperor Augustus), and war soon broke out in North Italy. Cicero was intending to leave Italy, when he

heard that Antony was disposed to come to terms; on returning to Rome he felt suspicious; Antony threatened violence unless he declared himself; and accordingly he made a moderate and conciliatory speech in the senate on September 2. Antony, who was absent, irritated by certain criticisms, attacked Cicero furiously on September 19; to this speech Cicero, who had not ventured to attend the meeting, replied by the pamphlet known as the *Second Philippic*, which represents itself as a speech made on the spot in reply to Antony's attack. This was a declaration of war to the knife; and the same uncompromising attitude was maintained in a series of addresses delivered on various occasions during the following months, till the fighting in the north of Italy ended in a breach between Octavius and the senate and a *rapprochement* between him and Antony. The formation of the Coalition of Octavius, Antony, and Lepidus (the first interrex in 52), known as the Second Triumvirate, involved the proscription of 2000 knights and 300 senators; Cicero was included in the list as a sacrifice to the vengeance of Antony and Fulvia, and was hunted down and killed on December 7, 43.

Cicero's faults as a statesman lie on the surface; it is easy to point out that he was conceited in prosperity and unduly dejected by his banishment from Rome; that he shut his eyes to Pompey's incapacity and the

vacillating violence of his later policy ; and that he was too unwilling to recognise and too willing to forget the real capacity and breadth of aim which made Cæsar's establishment of despotism a gain to social order, if not to the freedom and moral character of individuals ; that his invectives are often scurrilous and his panegyrics sometimes insincere. But on his fearless advocacy of the claims of the provinces to decent government, on his sympathy for the victims of revolutionary changes, on his gratitude to those who had, even if only for their own purposes, assisted him against his dangerous enemies, on the ability with which he put down a really serious attack on society, on the honest scorn which he expresses for the private and political immorality of an Antonius, and above all, on his deliberate, consistent, and even quixotic devotion to the cause of orderly government as expressed in the spirit of the ancient constitution, it is almost impossible to look without sincere and spontaneous admiration.

CHRONOLOGICAL SUMMARY

B. C.

- 108. Birth of Catiline.
- 106. Birth of Cicero and Pompey.
- 100. Birth of Cæsar. Death of Saturninus and Glaucia.
- 88-84. First Mithridatic war, Sulla in command.
- 83-81. Second Mithridatic war, the elder Murena in command.
- 80. Cicero defends Sextus Roscius of Ameria.
- 74-67. Third Mithridatic war, Lucullus in command.
- 70. Cicero accuses Verres.
- 66-63. Third Mithridatic war, Pompey in command.
Cicero and C. Antonius consuls. Catilinarian conspiracy.
- 61. Clodius tried for intruding upon the rites of the Bona Dea.
- 59. First Triumvirate ; Pompey, Cæsar, and Crassus.
Cæsar and Bibulus consuls.
- 58. Clodius a tribune. Cicero banished. Cæsar's first year in Gaul.
- 57. Lentulus Spinther and Metellus Nepos consuls :
Milo a tribune. Cicero recalled.
- 56. Conference of the First Triumvirate at Luca.
- 52. Clodius killed by Milo. Pompey sole consul.
Cicero defends Milo.
- 49. Antony a tribune. Cæsar invades Italy.
- 48. Battle of Pharsalus, and death of Pompey. Death of Milo. Cæsar at Alexandria.

B. C.

- 47. Cæsar settles Asia Minor and Egypt.
- 46. Cæsar's Campaign in Africa ; battle of Thapsus,
and death of Cato.
- 45. Second Spanish Campaign ; battle of Munda.
- 44. Cæsar and Antony consuls. Murder of Cæsar.
Dolabella consul. Siege of Mutina. First and
Second Philippics.
- 43. Battle of Mutina. Second' Triumvirate ; Octavius,
Antony, and Lepidus. Proscription, murder of
Cicero.

THE SPEECH OF M. TULLIUS CICERO,
BY WHICH HE FORCED CATILINA TO LEAVE
ROME ; DELIVERED IN THE SENATE.

HOW much further, Catilina, will you carry your I
abuse of our forbearance? How much longer I
will your reckless temper baffle our restraint? What
bounds will you set to this display of your uncontrolled
audacity? Have you not been impressed by the nightly
guards upon the Palatine, by the watching of the city
by sentinels? Are you not affected by the alarm of the
people, by the rallying of all loyal citizens, by the con-
vening of the senate in this safely-guarded spot, by
the looks and the expressions of all assembled here?
Do you not perceive that your designs are exposed?
Do you not see that your conspiracy is even now fully
known and detected by all who are here assembled?
What you did last night and the night before, where
you were and whom you summoned, and what plans
you laid, do you suppose that there is one of us here
who does not know? Alas! what degenerate days 2
are these! The senate is well aware of the facts,
the consul can perceive them all; but the criminal
still lives. Lives? Yes, lives; and even comes down
to the senate, takes part in the public deliberations,

and marks down with ominous glances every single one of us for massacre. And we,—such is our bravery,—think we are doing our duty to our country, if we merely keep ourselves out of the way of his reckless words and bloody deeds. No, Catilina, long ere now you should yourself have been led by the consul's orders to execution; and on your own head should have been brought down the destruction which you are now devising for us.

- 3 The most eminent P. Scipio, the chief pontiff, was not actually a magistrate when he executed Ti. Gracchus for attempting some not very revolutionary changes in the constitution of the state; and are we, the consuls now in office, to bear with Catilina, when he is thirsting to waste the whole earth with fire and sword? I do not refer to cases too remote in date, such as the execution by C. Servilius Ahala's own hand of Spurius Maelius when he was aiming at a revolution. But it was once, it was once deemed a virtue in this state for brave men to inflict more signal punishments on a destructive citizen than on the most hostile foreign enemy. We are already armed with a resolution of the senate against you, Catilina, in terms both forcible and weighty; we are not without the guidance of public deliberation and the decision of this noble order: we, we alone, I say it openly, we consuls
II are found wanting. The senate once voted that the
4 consul L. Opimius should provide for the protection of the state against harm: and before a single night had intervened, C. Gracchus, whose father, grandfather, and ancestors were all distinguished men,

was executed on suspicion of certain treasonable aims ; with him were put to death M. Fulvius, an ex-consul, and his two sons. A similar resolution of the senate committed the protection of the state to the consuls C. Marius and L. Valerius : and did L. Saturninus, tribune of the plebs, and C. Servilius, praetor, have to wait a single day after that vote, before they received the punishment prescribed by the state ? Yet here are we waiting twenty days and allowing the senate's resolution to lose its edge. Yes, we have a formal resolution of the senate to this effect ; but it remains an unpublished document, a sword still in the sheath, though it is a resolution, Catilina, which rightly understood required your immediate execution. Yet you live ; and live not to abandon but to add strength to your effrontery. I desire, my lords, to be merciful ; I desire at a moment so critical to the state not to appear careless ; but I am even now convicting myself of conduct which is both remiss and wicked. Even in Italy a base of operations against the Roman people has been established 5 among the hill-passes of Etruria ; the number of our foes is increasing day by day ; but the general who controls those operations and the leader who directs those foes we see within the walls of Rome, ay and even in the senate, plotting every day some fresh device for bringing internal ruin upon our state. If then at last, Catilina, I order your arrest or your execution, I shall presumably have more reason to fear that all loyal citizens will declare my action too tardy than that a single person will pronounce it too harsh. But this particular step, which ought to have

been taken long ago, I have certain reasons for not being induced to take at present. You will perish in the end ; but not till it is certain there will be no one in Rome so shameless, so desperate, so exactly the counterpart of yourself, as not to admit the justice of
6 your execution. / Just so long as there is a single man who dares to defend you, you will live : but you will live as you live now, held at bay by the staunch defenders whom I have stationed everywhere to prevent any possibility of your assailing the state. Many eyes and many ears, moreover, though you perceive them not, will be vigilant, as they have been vigilant heretofore, and will keep watch over all your actions.

III And as a matter of fact, Catilina, for what are you waiting now, if the shades of night can no longer veil your abominable conferences, and if the walls of your private house can no longer contain the phrases used by your fellow-conspirators ? What if everything is being exposed to the light and breaking out of concealment ? Abandon your design even now ; take my warning ; forget your thoughts of fire and sword. You are hemmed in on all sides ; clearer than daylight to us are all your plans ; and you may proceed to review
7 them with me. Do you remember that I said in the senate on the 21st of October, that an army would appear on a certain day, namely the 27th of October, under the command of C. Manlius, acting as the paid agent and manager of your audacious schemes ? Was I not right then, Catilina, not only as to the nature of the affair, abominable and incredible as it was, but even, what is much more astonishing, as to the exact day ?

I said moreover in the senate that you had arranged for a massacre of the aristocratic party on the 28th of October, I mean on that occasion when many of our leading men departed hurriedly from Rome, not so much to save themselves as to defeat your plots. Can you deny that on that very day the guards with whom I surrounded you, and the carefulness I showed, alone prevented a movement on your part against the government? Can you deny that you said then that though the rest had withdrawn, you were quite content to massacre those of us who had stayed behind? Or 8 again, when you were confident that you would be able to capture Praeneste by a sudden assault on the night of the 1st of November, did you not find that at my orders that important colony-town had been regularly garrisoned and furnished with sentries and watches? There is no act, no scheme, no thought of yours, which is not heard, nay, which is not seen and accurately ascertained by me.

Review now with me the events of the night IV before last. You will learn that my watchfulness to secure the safety of the state is much more persevering than your efforts to ruin it. I assert then that on the night before last you went to the Scythemakers' Street,—nay, I will make no mystery of it,—that you went to M. Laeca's house; and that there you met several of your accomplices in this insane and criminal adventure. Do you dare to deny it? What is the meaning of your silence? I will prove my assertions, if you deny them. Yes, I see that there are here present in the senate certain of those who met you

9 there. [^]Merciful heavens! Where are we? In what country, in what city are we dwelling? What is the government under which we live? There are here, here among our fellow-senators, my lords, in this deliberative assembly, the most august, the most important in the world, men who are meditating the destruction of us all, the total ruin of this city and in fact of the civilised world. These persons I see before me now, and I ask them their opinions on affairs of state; and I do not even wound by a single harsh expression men who ought to have been put to death by the sword. You were then, Catilina, at Laeca's house that night; you divided Italy into districts; you decided to what quarter you wished each of your friends to proceed; you chose whom you would leave at Rome and whom you would take with you; you assigned the different points at which the city was to be fired; you promised that you would soon leave Rome yourself; you said that you had still a reason for a brief delay, in the fact that I was not dead; two Roman knights volunteered to set your mind at rest on that point, and undertook to murder me in my bed
10 that very night shortly before daybreak. I on my side ascertained all these facts almost before your conference broke up; I strengthened the defences of my house, I posted a garrison even more reliable; I shut out those whom you had sent to greet me in the morning, the persons who came being the very men whom I had previously indicated to many distinguished friends as likely to arrive at my house at that hour.

V Under these circumstances, Catilina, I bid you pur-

sue the course you have begun. Quit Rome at last and soon; the city gates are open; depart at once: your camp under Manlius's command has too long been awaiting with anxiety the arrival of its general. Take with you all your associates; or, at least, take as many as you can; free the city from the infection of their presence. You will relieve me from serious apprehension by putting the city wall between yourself and me; you cannot possibly remain in our society any longer; I will not bear, I will not endure, I will not allow it. Our hearty thanks must be rendered to the immortal gods and especially to Jupiter the Stablisher, from the most ancient times the special protector of this city, for that we have now so often eluded this brutal man, this baneful and vindictive enemy of our country: but the supreme interests of the state must not be too frequently imperilled in the person of a single man. So long as you laid your treacherous plots against me, Catilina, when I was only consul-elect, I resorted for defence to my own private precautions, not to any public protection. When at the recent election to the consulship you intended to kill me, the presiding consul, in the Campus, and the other candidates, I baffled your abominable attempt by appealing to the protection and support of my friends, without any general summons to arms. In short, whenever you struck at me, I foiled you without public aid, although I was well aware that my destruction would necessarily have involved a great disaster to the state. At the present moment you are aiming an unconcealed blow at the whole government of Rome: on the

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temples of the immortal gods, on the buildings of the city, on the lives of all the citizens, on the whole of Italy, you are invoking destruction and devastation. So since I dare not yet take the most obvious course, and the course most truly consistent with my official powers and with the traditions of the past, I will take a line which is milder as regards severity, but more helpful with reference to the general safety. For if I order you to be executed, there will still remain the dregs of your conspiracy to trouble the state: but if you depart, as I have long been urging you to do, the city will be emptied of your dangerous associates, the
13 political sewers will have been flushed. How now, Catilina? Do you hesitate to do at my command what you were intending to do of your own accord? Merely to depart from the city—this is the sole order given by the consul to a public enemy. Do I mean you, you ask me, to depart into exile? No, I do not order you; but, if you want my opinion, I do advise you to go.

VI What object indeed is there in this city, Catilina, in which you can feel any pleasure? There is not a man in Rome, outside your band of desperate conspirators, who does not fear you, not a man who does not hate you. Is there any form of personal immorality which has not stained your family life? Is there any scandal to be incurred by private conduct which has not attached itself to your reputation? Is there any evil passion which has not glared from your eyes, any evil deed which has not soiled your hands, any outrageous vice that has not left its mark upon your

whole body? Is there any young man, once fascinated by your seductive wives, whose violence you have not stimulated and whose lust you have not inflamed? What? Not long ago, after having by the death of ¹⁴ your former wife created a vacancy in your house for a second match, did you not augment that crime by another too great to be credible? But this I pass over, and am content to leave it unnamed, lest it should be thought that in this community an outrage so brutal should either have been committed or have remained unpunished. I pass over the complete ruin of your financial position, which you will know to be inevitable on the Ides next ensuing. I turn now not to the personal infamy of your vicious life, not to your private embarrassments and iniquities, but to matters which affect the highest interests of the state and the lives and liberties of all of us. Can ¹⁵ the light of the sun, Catilina, can the breath of heaven be pleasant to you, when you know that every member of this house knows well that on the 31st of December in the consulship of Lepidus and Tullus¹ you had posted yourself in the Comitium with a dagger in your hand? When they know that you had got together a band to murder the consuls and the leading men in Rome? When they know that your criminal and reckless design was frustrated, not by any reflection or apprehension on your part, but only by the good fortune of Rome? But I put those crimes

¹ This refers to the plot made by Catilina, Autronius, and Cn. Piso in 66 B.C. to assassinate Cotta and Torquatus, the newly-elected consuls for 65 B.C.

aside: they are not unknown, nor were they isolated crimes. How many attempts you made to murder me when I was consul-elect, how many when I was
16 actually consul! How often have I avoided your thrusts, so well aimed that it seemed impossible that they should miss me, by the narrowest interval, by the veriest hairsbreadth! Your efforts indeed are ineffective; yet you do not abandon your attempts and intentions. How often your dagger has been wrested from your grasp! How often has some accident made you drop it and let it fall! Nor indeed can I tell to what deity you have dedicated and consecrated it, that you thus think it a sacred duty to plant it in a consul's heart.

VII But at the present moment what sort of life is yours? I will address you in terms so mild that I shall be thought to feel towards you, not the indignation which I ought to feel, but a pity which you ought not to expect. A few moments ago you came into the senate-house. Did a single person in this crowded assembly, did a single one of your friends and relations here give you any welcome? If you know that such a thing as this has never happened to any one within human memory, are you waiting for positive insults, when you are already extinguished by that impressive silence? What do you infer from the fact that your approach emptied all the benches near where you are sitting, and that all the ex-consuls, whom you have so often destined for massacre, as soon as you sat down left the seats in that part of the house absolutely empty and bare? In what spirit do you intend to

accept those intimations? Why, I protest, if my own 17
slaves feared me in the way in which all your fellow-
citizens fear you, I should feel it high time to flee
from my own house. Do you not feel any impulse to
flee from the city? And if I saw myself exposed even
unjustly to suspicions so grave, and giving such deep
offence to my fellow-citizens, I should prefer to be de-
prived of the sight of those fellow-citizens to thus re-
maining the object of their hostile glances. And do you,
when your guilty conscience forces you to recognise
the universal indignation against you as justly felt and
long deserved, do you hesitate to avoid the sight and
presence of those whose thoughts and feelings you so
bitterly offend? If your own parents were afraid of
you and hated you, and you could not conciliate them
by any expedients, you would probably withdraw to
some place far from their sight. ~~At~~ At the present moment
your country, which is the common mother of us all,
hates you and fears you and has long been convinced
that your one thought is to work some murderous
treason against her. Will you not then quail before her
authority, will you not submit to her decision, will you
not fear her power to punish? Your country, Catilina, 18
pleads with you thus, and appeals with mute elo-
quence: 'For several years now no crime has been
' committed without your help, no scandal has arisen
' in which you have not been implicated; you only have
' escaped scot-free and gone unpunished after killing
' many of my citizens, after persecuting and plundering
' my allies; you have been strong enough not only to
' despise my legal and judicial system, but even to

‘ destroy the one and disregard the other. Your earlier
 ‘ crimes, intolerable as they were, I tolerated as best I
 ‘ could : but now it is not tolerable that I should be in
 ‘ a perfect fever of alarm at you alone, that even the
 ‘ slightest sound should arouse my fear of Catilina,
 ‘ and that it should appear impossible for any design
 ‘ to be formed against me in which your evil mind
 ‘ is not concerned. Quit the scene then, and deliver
 ‘ me from these apprehensions. If they are well-
 ‘ founded, withdraw that I may not be utterly de-
 ‘ stroyed ; if they are groundless, go that I may at last

VIII ‘ cease to be apprehensive.’ If Rome, as I have said,
 19 should appeal to you in this fashion, ought she not to
 prevail with you, even if she cannot resort to force ? Or
 again, what of your voluntary surrender of yourself to
 custody ? What of your statement that for the sake of
 avoiding suspicion you were willing to live in M.
 Lepidus’s house ? Yes, and when he would not receive
 you, you actually dared to come to me, and you asked
 me to keep you safe at my own house ! When you
 received the same answer from me, namely that I could
 not with safety be within the same four walls as you,
 since I found it sufficiently dangerous to be within the
 walls of the same town, you went to Q. Metellus the
 praetor. Rebuffed by him you tried to obtain lodgings
 with that worthy member of your guild, M. Marcellus,¹
 whom you naturally supposed would be of all men the
 most careful in watching you, the most wary in sus-
 pecting your movements, and the most strenuous in

¹ Obviously not the M. Marcellus of § 21. Others read M. Metellus.

dealing with them ! But what do you think should be the distance between the State Prison and the man who has actually pronounced himself to be deserving of confinement in a private house ? Under these circumstances, Catilina, do you hesitate, if you cannot resign yourself to death, to depart to distant lands, and there spend in lonely exile the life which you have barely saved from many justly-deserved punishments ? 20

‘No,’ you say, ‘you must put the question to the senate.’ That is the demand you formulate ; and you assert that, if this house formally resolves that it desires you to go into exile, you will obey its wishes. But I will not put this question to the senate ; to do so would be foreign to my usual custom ; I will however make you understand what the senators think of your position. Yes, Catilina, quit the city ; deliver Rome from apprehension ; go indeed into exile, if you are waiting for that word. What is it, Catilina ? Do you not heed, do you not mark the silence of the house ? Their silence denotes consent. Why do you wait for them to express their sanction in words, when you can see by their silence the nature of their wishes ? If I had used this language to my excellent young 21 friend P. Sestius, or to the gallant M. Marcellus, the senate would have been amply justified in laying violent hands upon me, consul as I am, here in this very temple. But in your case, Catilina, their calmness indicates their approval, their tolerance implies their deliberate assent, and their silence is equivalent to loud denunciation of you. Nor is it only these senators, whose resolutions you of course regard with

affection, though you hold their lives so cheap, who feel thus, but their feeling is shared by those honourable and virtuous Roman Knights and all the other gallant citizens who stand round about the senate, whose numbers you could observe, whose enthusiasm you could mark, and whose expressions you could hear not long ago.' For long past I have hardly been able to keep back their hands and their swords from your person ; and I can easily induce them when once you turn your back on all that you have long been intending to destroy, to escort you on your way even to the gates of Rome.

IX Yet why do I speak ? Is it possible that anything can
22 influence a man like you ? Is it possible that a man like you will ever reform ? That you will ever turn your thoughts to flight ? That you will ever contemplate exile ? Would indeed that heaven might inspire you with such a thought ! Though I see clearly, if you are alarmed at my words and make up your mind to go into exile, what a storm of unpopularity it will bring down upon my head, if not at the present moment while the memory of your crimes is still fresh, at any rate in future ages : but it is well worth while, if only the disastrous consequences are confined to my private fortunes, and do not involve results which are dangerous to the state. Still one ought not to demand that you, being such as you are, should be distressed by your own vices, that you should dread the penalties of the law, and sacrifice yourself to the interests of the state ; no, Catilina, you are not the man ever to have been withheld from baseness by shame, from peril by alarm,

or from recklessness by reason. Therefore, as I have 23
often told you, leave this place; and if I am, as you
proclaim, your personal enemy, and you wish to excite
odium against me, proceed straightway into exile. I
shall hardly be able to endure what men will say of
me, if you take that step; I shall hardly be able to
bear the crushing unpopularity which will descend
upon the consul at whose command you will have
gone into exile.* If however you prefer to promote
my honour and renown, leave the city attended by
your savage gang, join Manlius, call to arms the disloyal
among your fellow-countrymen, separate yourself from
the loyal, declare war on your fatherland, and lead on
in triumph your traitorous banditti; and you will make
it clear that I did not throw you into the arms of
strangers, but merely urged you to join your friends.
And yet why should I urge you at all, when I know 24
that you have already sent men forward to await you
under arms at the Forum of Aurelius? When I know
that you have a day settled and arranged with Manlius?
When I know that you have even sent on in front the
silver eagle, which I trust will be a bird of evil and
deadly omen to you and all your friends, which was
enshrined in your house in the secret chamber of
your crimes? Have you sent it on that you may the
longer be deprived of the idol which you always
worshipped when you were bent on a murderous
errand, on whose altar your unhallowed hand was
often laid before it was directed against the lives
of your fellow-citizens? Yes, you will go at last to X
the place whither your unrestrained and rabid greed 25

has long been dragging you : nor indeed does the step cause you any sorrow, but rather a sort of inconceivable gratification. For an adventure insane as this has nature produced you, your deliberate choice trained you, and fortune preserved you. Never have you fixed your affections on peace, nor even on any war that was not wholly abominable. You have obtained the aid of a disloyal gang composed of men desperate and altogether abandoned, not only
26 by Fortune but even by Hope. Among them what raptures you will enjoy ! What thrills of excitement you will feel ! In what pleasures you will revel, when you know that in the whole number of your followers you will not hear or see a single honest man ! To the promotion of your efficiency for a life like this have been devoted the laborious exertions, of which we are informed, your crouchings on the ground not only to be ready for filthy intrigues but even to perpetrate crimes, your watchings and lurkings not merely against sleeping husbands but also against the property of peaceable men. You have now a field for the display of your vaunted power to endure hunger, cold, and deprivation of all the means of life ; but you
27 will soon find yourself succumb. When I defeated your efforts to obtain the consulship, I effected this much : I obliged you to attack Rome from without as an exile rather than persecute her from within as consul : and I made your criminal schemes more correctly to be described as brigandage than as a civil war.

XI Now therefore, my lords, that I may solemnly purge

myself of a certain not altogether unfair accusation which my country brings against me, give, I beg you, your earnest attention to my words and commit them faithfully to your innermost hearts. If, in fact, my native land, which is much dearer to me than my life, if all Italy, if the whole state were to address me in these words: ‘M. Tullius, what do your actions mean? ‘Do you intend in dealing with this man, whom you ‘have ascertained to be a public enemy, whom you ‘see will be the leader in the war, whom you know the ‘enemy’s forces are expecting as their general, who is ‘the source of the crime, the head of the conspiracy, the ‘author of the plan to raise the slaves and desperate ‘citizens, do you intend to let this man quit the city, ‘and so lead people to think that you have not so ‘much set him free to quit the city as set him free to ‘attack the city? Will you not rather issue orders for ‘him to be thrown into chains, led at once to execution, ‘punished with the utmost rigour of the law? What 28 ‘indeed is there to hinder such a course? The tradi- ‘tions of the past? But there have been very many ‘instances in my history in which even private persons ‘have inflicted the penalty of death on citizens of dan- ‘gerous character. Or possibly the laws which have ‘been enacted to regulate the infliction of punishment ‘on Roman citizens? But never in this city have those ‘who have forsworn their allegiance been held to retain ‘the rights of citizens. Or are you afraid of the dislike ‘of posterity? If so, you are displaying exemplary ‘gratitude to the Roman people, who raised you, a man ‘known only by your own career and not recommended

‘ by any ancestral distinctions, with such rapidity
‘ through all the stages of official rank to the highest
‘ magisterial power, if for fear of unpopularity or some
‘ personal risk you neglect to secure the safety of your
29 ‘ fellow-citizens. But if you are afraid of unpopularity,
‘ is the unpopularity arising from a display of severity
‘ and courage more deeply to be feared than that which
‘ is earned by weakness and treachery? Or when Italy
‘ is being devastated by war, when cities are ravaged
‘ and houses burn, do you imagine that you will not
‘ then be exposed to a very furnace of unpopularity?’

XII To this most sacred appeal from my country and to the unexpressed thoughts of those individuals whose feelings are the same, I will give my answer briefly. For my part, if I judged it the best policy, my lords, to punish Catilina with death, I would not have allowed that ruffian the enjoyment of another hour of life. In fact, if men of the highest rank and reputation incurred no stain of guilt from the blood of Saturninus and the Gracchi and Flaccus and many more before them, nay, if they even ennobled themselves by shedding it, I certainly had no reason to fear that the execution of this murderous traitor would transmit any feeling of hatred against me to future ages: and even if I were imminently threatened with such odium, I was always inclined to regard the unpopularity which is the result of virtuous conduct as distinction and not unpopularity.

30 Though it is true there were some persons even in this house, who either do not see the dangers which threaten us or else pretend not to see what they do in fact perceive; men who encouraged Catilina's aims

by the feebleness of their sentiments, and strengthened the growing conspiracy by declining to believe in its existence: men under whose influence many persons, the inexperienced as well as the disaffected, if I had proceeded against the traitor, would have called my action cruel and despotic. Now however I am convinced that if the wretch finds his way to his intended destination, the camp of Manlius, no one will be so foolish as to be blind to the fact that a conspiracy has been formed, no one will be so disloyal as not to admit it. If however only this one man is executed, I am convinced that the plague can be stayed for a short time but not absolutely suppressed. But if he flings out of Rome and takes his associates with him, and if he can collect together his worn and wave-tossed crew from all quarters, we shall then stamp out and utterly destroy not only this fully-developed infection but also the whole source and seed-bed of all our troubles.

Too long already, my lords, have we been environed XIII
by the perils of this treasonable conspiracy; but it has 31
chanced that all these crimes, this ancient recklessness and audacity has matured at last and burst in full force upon the year of my consulship. If then out of the whole gang this single villain only is removed, perhaps we shall think ourselves for a brief period freed from care and alarm; but the real danger will only have been driven under the surface, and will continue to infect the veins and vital organs of the state. As men stricken with a dangerous disease, when hot and tossing with fever, often seem at first to be relieved

by a draught of cold water, but afterwards are much more gravely and severely afflicted; so this disease, which has seized the state, may be temporarily relieved by the punishment of Catilina, but will return with greater severity if his associates are allowed to survive.

- 32 Let the disloyal then withdraw, let them separate themselves from the loyal, let them herd together in one place, let there be a wall, as I have often said, to sunder them from us. Let them cease to lay plots to assassinate the consul in his own house, let them cease to crowd menacingly round the City Praetor's judgment-seat, let them cease to beleaguer the senate-house with drawn swords and prepare their grenades and matches for firing the city: in short, let the political principles of every man be visibly written upon his forehead. I promise you this, my lords, that in me and my colleague there shall be found such energy, in you yourselves such resolution, in the Roman knights such courage, in all loyal men such unanimity, that at Catilina's departure from Rome you shall see everything that is evil exposed and brought to light, sternly repressed and adequately punished.

- 33 With these ominous words of warning, Catilina, to the true preservation of the state, to the mischief and misfortune of yourself and to the destruction of those attached to you by every sort of crime and treason, get you gone to your unholy and abominable campaign. Then shalt thou, great Jupiter, who hast been established with the same rites as this city, whom we name rightly the Stablisher of this city and empire, keep this man and his associates far from thy fanes

and from the other temples, far from the buildings and the walls of the city, far from the lives and fortunes of the citizens; and these men who hate the loyal, who make war on their country and pillage Italy like brigands, who are linked together by bonds of guilt and by complicity in abominable crimes, thou shalt grievously afflict in life and in death with punishments that shall never cease.

THE SECOND SPEECH OF M. TULLIUS
CICERO AGAINST L. CATILINA:
DELIVERED TO THE PEOPLE.

I A T length and at last, citizens of Rome, we have
I prevailed over L. Catilina; with passion in his
violent heart, with crime on his furious lips, in the
midst of his abominable designs to bring disasters on his
country, in the midst of his threats to overwhelm you
and this city with sword and flame, he has been by us
ejected, or shall I say despatched from the city, or at
least while departing of his own accord sped on his
way by our valedictions. He has gone, he has escaped
us, evaded us, eluded us. His inhuman and por-
tentous malice will no longer be devising means for
the destruction of these walls while actually within
their confines. Yes, this man, the sole leader in this
civil war, we have indisputably vanquished. We shall
no longer feel his dagger pricking our sides; we shall
not now quake with fear in the Campus, in the Forum,
in the Senate-house, or in the privacy of our own
homes. He has been driven from his post of vantage
in being expelled from the city. We shall now be able
to engage openly with the foe without let or hinder-
ance. There is no doubt we have ruined the man

and won a glorious victory, in forcing him to abandon his secret treacheries and betake himself to open brigandage. But that he has not carried with him a 2 blade dripping with blood, as he intended, that we live to witness his departure, that we have wrested his weapons from his hands, that he has had to leave his fellow-countrymen unhurt and his native city not in ruins,—how heavily do you think that all these considerations augment his mournful dejection and despair? Yes, he has been stunned by the blow; at the present moment he feels crushed and disheartened; and as he goes, he often, I know, looks back to this city, and laments that his prey has been snatched from his jaws: but Rome for her part seems to me to exult aloud, that she has relieved herself of the infection and cast away the poison from her.

Yet if there is any one here who, under the influence II of feelings which should have been felt by all, hotly 3 denounces me with regard to that very result which supplies the note of triumph to my speech, and blames me for not having arrested, for having merely sent away, so deadly a foe, I must plead that the blame should fall not on me but on the circumstances of the time. L. Catilina ought long ago to have been put to death, ought long ago to have suffered the severest penalties of the law; yes, I was called upon to take such measures by the traditions of the past, by the rigour of the powers committed to me, and by the interests of the state. But how many do you think there were who did not believe my denunciations? How many who went so far as to defend him? Yet if

I had been convinced that his removal would avert all peril from you, I should long ago have removed L. Catilina at the risk of not only my popularity but even
4 my life. But seeing as I did that even you were not yet all of you clear as to the facts, and that if I inflicted on him the death he deserved, I should incur an amount of unpopularity which would hamper me in the task of following up his associates, I let matters take their course, in order that when you saw the enemy plainly, you might be able to deal with him on the open field. Though indeed how gravely formidable I deem this enemy when outside the walls, you may estimate from this fact, that I feel no satisfaction in knowing that he had so few companions in his flight! Would that he had taken with him the whole of his gang! Tongilius, whom he began to adore when he was a lad, I am glad to say he has taken, with Publicius and Minucius, whose unpaid tavern scores were not likely to have seriously shaken the constitution: but the men he has left, think of them, and of their debts,
III and of their importance, and of their high rank! So
5 I for my part utterly despise Catilina's army in comparison with our legions from Cisalpine Gaul, and the new troops which Q. Metellus has levied in Picenum and among the Senonian Gauls, and the forces which we are daily raising here, since Catilina's army is composed of ruined veterans, of country spendthrifts and rustic bankrupts, of persons who have preferred to run away from their legal obligations rather than from his army. If I show men like these, I will not say our battle array, but merely the praetor's warrant, they will

collapse! But these whom I see swarming in the forum, standing about the senate-house, even coming into the senate, men who are sleek with essences and wear gorgeous purple borders, I had far rather he had taken these to be his bodyguard. If they remain here, you must remember to view with alarm not so much his actual army as these deserters from it; nay, you must fear them the more for this, that they know that I am aware of all their plans, and yet they are not discomposed. I can tell who has received the charge of 6 Apulia, who undertakes Etruria, the districts of Picenum and of Sena Gallica, and who has claimed as his care the secret schemes for murder and arson at Rome. They know that all the counsels of the night before last have been reported to me. I exposed them in the senate yesterday; Catilina himself has taken fright and fled. What are these men waiting for? They are making a grave mistake indeed, if they expect that my original leniency will be continued for ever.

I have now attained my object, which was to make IV you all see that a conspiracy has been openly formed against the state: no one can deny this unless he thinks that those who are so like Catilina in character do not also sympathise with his aims. There is no room now for leniency towards these men; the case calls loudly for severity. Yet even now I will make one concession to them: let them depart, let them start now, let them not leave Catilina to pine with grief at their prolonged absence. I will indicate the route; their leader left Rome by the Aurelian Road; if they choose to make haste, they will catch him

- 7 up before nightfall. Fortunate indeed will Rome be, if the city can be cleansed of this vile refuse! I verily believe that the ejection of Catilina alone has relieved and refreshed the state! Can any one invent or imagine any evil or crime which has not been meditated by him? Is there any poisoner to be found in the whole of Italy, any bully, any brigand, any assassin, any murderer, any forger of wills, any swindler, any rake, any spendthrift, any adulterer, any loose woman, any debaucher of young men, any debauched or desperate character, who can avoid the admission that he has lived on terms of the closest intimacy with Catilina? Has there been any bloodshed for these many years in which he has not had a hand? Has there been any abominable profligacy of which he has not been guilty?
- 8 Why, what fascinations have there ever been so dangerous to young men as his? For some of them he entertained affections of a most disgraceful character, to the affections of others he showed a most infamous subservience: to some he promised the gratification of their lusts, to others the death of their parents; and he not only suggested but abetted their wicked plans. And at the present crisis observe with what rapidity he had collected from the country as well as from Rome a huge number of desperate men! There is no one deep in debt, either at Rome or in any hidden corner of Italy, whom he has not enrolled in his astounding
- V confederacy of crime. And to illustrate to you the
- 9 different pursuits and the utterly diverse spheres of life on which he has drawn, there is no one in the gladiatorial training-schools at all disposed to violence who

does not own to intimacy with Catilina ; there is no one on the stage of lighter or more worthless character than usual who does not boast that he has been all but a member of the same guild as Catilina. And yet this man of practised experience in impurity and crime, was proclaimed by his friends to be a man courageous in enduring cold and hunger and thirst and want of sleep, while he was wasting in licentiousness and violence the strength which might have supported industry or assisted virtuous courses. Such is the man ; 10 and if his comrades will only follow him, if these infamous gangs of desperate men will only depart from the city, happy shall we be indeed, fortunate will be our country, and illustrious the memory of my consulship ! For men's passions are not at the present day of a moderate character, their villainies are not such as are endurable or natural to man. They contemplate nothing short of massacre and conflagration and pillage. They have squandered their own inheritances, they have encumbered their own estates ; their purses have long since run dry, their credit has begun to fail : but the same evil cravings, which they felt in the midst of their abundance, possess them still. Yet if in their hours of drunkenness and gambling their desires were limited to revelry and lewdness, their own state would be desperate indeed, but it might still be tolerated by others : but who can tolerate this situation, indolence plotting against the truest bravery, folly against the soundest wisdom, drunkenness against sobriety, and somnolence against vigilance ? Yes, I hear them as they lie at their feasts with shameless

women in their arms, drowsy with drink and gorged with solid food, wreathed with flowers and smeared with scents, their strength sapped by their debaucheries, hiccoughing out across the table threats to
II massacre the loyal and burn down the city. But I am confident that some doom is hanging over them, and that the punishment, which their impudence and wickedness, their crimes and lusts have long deserved, is either visibly impending or at least approaching surely: and if, as consul, since I cannot heal this disease, I shall have had strength to extirpate it, then I feel that I shall have prolonged the existence of Rome not for some brief period but for many ages to come. There is no foreign nation for us to fear, no sovereign able to make war upon the Roman people. Everywhere abroad the valour of a single general has established peace by land and sea. The possibility of civil war remains; within our own walls is conspiracy, within our own walls is hidden peril, within our own walls is our only foe: we have still to deal with profligacy, with madness, with crime. Citizens of Rome, I offer you myself as the leader of your forces in this war; I take upon myself the personal enmity of desperate men. All that can be cured, I will cure by whatever means I can: what must be cut away, I will not leave to grow to the destruction of society. Therefore let them either depart now or cease to trouble us; or else, if they choose to remain in Rome and to remain of the same mind, let them expect to receive the reward they deserve.

VI And yet, citizens of Rome, there are people who say

that I have driven Catilina into exile. Truly if a word 12
of mine could do so much, I should very soon drive
into exile the men who use such language. He was
evidently a timid creature, or perhaps so peaceable a
citizen that he could not bear the consul's lightest
word ; the moment he was bidden to go into exile, he
obeyed ! What is this ? When I yesterday, men of
Rome, having nearly been murdered in my own house,
convened the senate in the temple of Jupiter the
Stablisher, I denounced the whole matter to the mem-
bers of that assembly. When Catilina presented him-
self, did any single senator welcome him ? Did any one
give him a word of greeting ? Did any one, I say, look
at him as one looks at a bad citizen and not rather as one
regards a most vindictive enemy ? Nay, the leading
members of the house left the benches near that on
which he had taken his seat absolutely bare and
empty. At this point I, in my new character as the 13
overbearing consul, a word from whom drives citizens
into exile, inquired of Catilina whether he had or had
not been one of the party that met by night at M.
Laeca's house. When he, utterly reckless as he is,
was for the moment struck dumb by his sense of guilt,
I laid all the facts before the house. I told them in
detail what he had done that night, what he had
settled for the following night, how he had planned
and arranged the whole campaign. When he stam-
mered and involved himself, I asked why he hesitated
to start for the destination he had long had in his
mind, since I was well aware that he had sent forward
weapons of all sorts, the axes and rods of the consular

insignia, trumpets and standards, and even the famous silver eagle, for which he had actually made a shrine
14 in his own house. Was I driving into exile then the man whom I could see had already embarked upon war? Yes, I am to believe, I suppose, that a mere centurion, Manlius, who has encamped in the neighbourhood of Faesulae, has declared war on the Roman people on his own account, that they are not even now waiting for Catilina to assume the command in that camp, and that since he has been driven into exile he will retire to Massilia, as people say, and not
VII to that encampment. Alas! how wretched is the vocation not only of those who govern but even of those who preserve the state! Even now if L. Catilina, finding himself driven into a corner and hopelessly weakened by my plans and toils and perils, should be seized with sudden panic, should alter his plans, desert his friends, discard his idea of making war, and turn aside from his career of crime and war to the path of flight and voluntary exile, people will not say that I have stripped him of the weapons of violence, that my vigilance has covered him with confusion and alarm, that I have forced him to abandon his cherished hopes and schemes; no, he will be said, an unconvicted, an innocent man, to have been driven into exile by the threats and the violence of the consul. There will be people who will wish him, if he does all this, to be
15 vigilant consul but a most barbarous tyrant! It is well worth my while, citizens of Rome, to expose myself to this storm of baseless and undeserved un-

popularity, if by so doing I may avert from you the danger of this awful and abominable war. Yes! let it be said that he was driven out into exile by me, if only he will really go! But, believe me, he does not mean to go. Never shall heaven hear prayer of mine, men of Rome, to diminish my unpopularity at the cost of your having to hear the news that L. Catilina is commanding a hostile army and pervading Italy with armed followers; nevertheless in three days you will hear such tidings; and I am much more afraid of this, that I shall one day incur unpopularity for having induced him to go rather than driven him away. But when there are men who say that he has been driven out, though he has merely gone away, what would be their language if he had been put to death? However, 16 those who repeat that Catilina is on his way to Massilia, are much more alarmed than indignant at the possibility: there is not one among them whose pity for Catilina prevents him from preferring that he should go to Manlius rather than to Massilia,¹ and Catilina himself, I verily believe, even if he had never previously contemplated his present course, would rather die fighting even as a brigand than survive as an exile. But as things are, since as yet nothing has occurred which is opposed to Catilina's own wishes and intentions, except indeed his having to leave us alive when he left Rome, let us pray to heaven that he may go into exile rather than feel any indignation at his going.

But why do we speak at such length about a single VIII

¹ But, if true friends, they ought to prefer his voluntary exile to his junction with Manlius, which would be fatal to him.

17 enemy, and about an enemy who now avows his enmity, an enemy whom I do not fear, because, as I have always desired, there is now a wall between us and him? Why do we say nothing about those who dissemble their enmity, who remain at Rome, who are still in the midst of us? And yet, if there should be any possibility of so dealing with them, I am less anxious to punish those men than to work a moral cure in them and to reconcile them to their country; nor do I understand why this course is impossible, if they choose to attend to my words. I will first explain to you, men of Rome, from what classes of society these hostile forces are drawn; and then I will offer to each class in turn such remedies as may be afforded
18 by my advice and public exhortation. The first class is composed of men who, though their debts are great indeed, have estates even greater in their possession, to which they are so fondly attached that they cannot be induced to disencumber themselves. The outward appearance of these men is most honourable; they are certainly affluent: but their whole moral position is thoroughly shameless. Are you, sir, to be elegant and sumptuous in your possession of lands and of houses and of plate and of slaves and of everything else besides? and are you to hesitate to incur a loss as regards your possessions and make a gain as regards your credit? If so, what are you anticipating? War, perhaps? What good will war do you? Do you think that amid the universal havoc the sanctity of your property will be respected? Or, perhaps, a general cancelling of accounts? It is a

mistake to expect this from Catilina. My remedial measures will involve the production of 'new account-books,' but these will be for the use of auctioneers.¹ There is indeed no other way to rehabilitate these holders of landed property: if they had chosen to take this step sooner, and had not made the insane attempt to meet the interest of their debts out of the produce of their estates, we should find them now richer men, and better citizens to boot. This class, however, need not, I think, be feared at all, because men of that stamp can either be induced to abandon their intention, or, if they adhere to it, seem to me more likely to indulge in aspirations for the ruin of the state than to take up arms against us.

The second class consists of those who, although IX
they are weighed down by debt, nevertheless antici- 19
pate despotic rule, wish to grasp power, and think that they can secure at a revolutionary crisis the offices which they despair of obtaining in more peaceable times. They, I think, must learn this lesson, a single fact which all the rest must learn too,—they must learn to abandon all hope of attaining their present object. They must be taught, I say, first of all, that I am awake and ready and attending to the interests of the state; secondly, that the courage of the party of order is great, that the harmony of the great masses behind them is great, and that the military forces at our disposal are also great; lastly, that the immortal gods will vouchsafe their succour in time of need

¹ Cicero refers to some unknown measure of his own for the sale of encumbered estates.

against their criminal violence to this unconquered people, to this most famous empire, to this most beautiful city. And even if they secure the object of their passionate longings, do they really hope that amid the ashes of the city and the blood of their fellow-citizens they will attain their accursed and abominable desires, and become consuls and dictators or even kings? Do they not see that they are desiring a position which, even if attained, will have to be surrendered by them in their turn to some mere fugitive slave or gladiator?

- 20 The third class, though advanced in years, is still kept in good condition by physical exercise, and to it belongs the wretched Manlius, whom Catilina is just now superseding. These are the men from the agricultural settlements founded by Sulla; which I perceive to be colonised on the whole by excellent citizens and gallant men; but still there are settlers whose unexpected and rapidly acquired wealth has led them to exhibit a too extravagant and insolent temper. These persons, while building houses like men of fortune, while taking their ease in well-selected farms, large establishments, and fashionable entertainments, have incurred such overwhelming liabilities, that to rehabilitate themselves they must call up Sulla from the dead. They have even induced not a few real farmers, men of small and slender means, to entertain the same wild hopes of a chance of repeating the former spoliations. These two sets I class together as the robbers and plunderers. But I give them this warning: they had better cease

their ravings, and drop their ideas of proscriptions and dictatorships. The horrors of those dreadful times have left so abiding an impression on this country, that to my mind neither men nor even brute beasts are likely to tolerate a recrudescence of them.

The fourth class is a decidedly mixed and hetero- X
geneous rabble, consisting of men who have long been 21
weighed down, who never rise, who partly from idleness
and partly from incapacity in business, partly also from
extravagance, stagger under a load of ancient liabilities.
Wearied by the writs and judgments and executions for debt, they are said to be resorting to that
camp in vast numbers from the city and from the
rural districts. These poor men I deem not so much
ardent warriors as indolent defaulters; and so, if they
cannot stand, let them collapse, but in silence, so that
neither society at large nor even their own neighbours
may see their fall. For I cannot understand why, if
they cannot live with honour, they prefer to perish
dishonourably, nor why they imagine it will be less
painful to perish in and with a multitude than to
perish alone.

The fifth class consists of murderers, assassins, and 22
ruffians of every sort; and these I do not invite to
desert Catilina. They cannot indeed be detached from
him; and so let them perish as brigands, since they
are so numerous that the Prison is too small for them.
The class last not only in order, but last and worst also
in character and mode of life, is the one which is
specially attached to Catilina himself; it is drawn from
his chosen friends, from the recipients of his warmest

embraces, men whom you see with lovelocks combed, spick and span, either beardless or well bearded, with tunics sleeved and falling down over the ankles, and dressed in things more like veils than togas; men whose only occupations in life and only attempts to keep awake are exhibited at those dinner-parties
23 which last till dawn. In these hordes all the gamblers, all the adulterers, all impure and immodest characters have their places. These dainty and fastidious boys have learnt not only how to love and be loved, not only how to dance and sing, but also how to wield the dagger and mix the poisoned draught: and if they do not depart, if they are not destroyed, then I warn you, even if Catilina is destroyed, they will still form a seed-bed for the production of Catilinas in this commonwealth. And yet, after all, what do these miserable men want? Do they mean to take their women with them to the camp? If not, how will they do without them, especially on these cold nights? And how will they endure the frosts and snows of the Apennines? But perhaps they suppose they will find it easier to bear the cold, because they have been taught to dance at dinner-parties without their clothes!

XI Oh! how horribly we must dread this war, when we
24 know that Catilina is going to have this infamous crew for his bodyguard! Array forthwith, citizens of Rome, your armies and your garrisons to resist these world-famed forces of Catilina. First station your consuls and generals to confront that wounded and worn-out cut-throat: next draw up on the field the very flower and vigour of all Italy to meet that wave-tossed and

battered wreckage of society. Yes, the towns of the colonial and municipal districts will answer for themselves to Catilina's rude forest-fastnesses; nor ought I to compare the rest of your forces, your conspicuous and ample defences, with the scanty and beggarly preparations of that wretched brigand. But if we 25 leave out of our reckoning all the means of defence with which we are amply provided, and which Catilina lacks, the senate, the Roman knights, the city, the treasury, the revenues, the whole of Italy, all the provinces, and the foreign states,—if, I say, we choose to put aside all these considerations, and compare the conflicting parties on their own merits, we can learn from a mere inspection of our enemies how vastly inferior they are. On this side decency is arrayed, on that insolence; on this chastity, and on that immorality; on this side honesty, and on that knavery; on this patriotism, and on that crime; here resolution, and there recklessness; here honour, and there disgrace; here self-control, and there licence: in a word, justice, temperance, courage, and wisdom, are fighting against injustice, intemperance, cowardice, and folly. To conclude, wealth is contending against beggary, sound principles against vicious, sanity against madness, and in short, honest hopefulness against utter desperation. In a conflict and engagement of this sort, is it not probable that, even if human ardour were to fail, the immortal gods themselves would enforce the victory of virtues so brilliant over all these heinous vices?

Do you, therefore, under these circumstances, citizens XII of Rome, as you have done ere now, protect your own 26

homes with watch and ward. I myself have taken thought and made provision for the safe defence of the city without any disturbance to you or any alarm of war. Your fellow-citizens in all the colonial and municipal districts, having been informed by me of this midnight excursion of Catilina, will easily protect their own towns and territories. The gladiators, thought by Catilina most certain to join him in large numbers (though as a matter of fact they are less disaffected than a section of the patricians), will nevertheless be submissive to our authority. Q. Metellus, whom I in anticipation of this movement sent forward to the districts of Sena Gallica and Picenum, will either crush the villain or will hamper all his movements and attempts. As to the determination, acceleration, and execution of other arrangements, we shall at once consult the senate, which you see is being summoned.

- 27 And now I turn to those who have remained in the city, or rather, I should say, have been left in the city by Catilina to menace the safety of the city and of all of you; and, enemies as they are, still because they are our fellow-citizens, I wish to warn them again and again. If my treatment of them hitherto has appeared to any one too mild, that leniency was only temporary, till what was concealed might emerge: for the future I cannot allow myself to forget that this is my native land, that I am consul of this people, that I must choose between surviving with my countrymen and dying in their cause. There are no sentries at the gates, there are no men in ambush on the road; if

any one wishes to depart, I need not see him go. But any one who lifts a finger in Rome, any one on whose part I detect any action or even any purpose or design calculated to harm our native land, shall soon feel that in this city there are watchful consuls, excellent magistrates, and brave senators, that there are men under arms, and that there is a prison intended by our ancestors for the summary punishment of abominable and flagrant crimes.

Furthermore, all these things shall be done, citizens XIII
of Rome, with such care as to settle matters the most 28
momentous with the least possible disturbance, to
avert the most serious dangers without an appeal to
arms, to put down internal and civil warfare of the
most barbarous and extensive character on record, by the
guidance and under the command of one man, myself
in my present civil capacity. And this I will effect,
citizens, in such a manner that, if it is in any way
still possible, not even one single bad man in this
city shall undergo the penalty of his crime. But if
the violence of flagrant villainy, if the peril which
threatens our native land, forces me to abandon my
policy of leniency, I will assuredly contrive what it
seems hardly possible to pray for in a war so vast and
so dangerous ; I will so contrive that not one honest
man shall perish, but that the punishment of a few
shall be sufficient to save you all. All this I promise 29
you, citizens of Rome, in reliance not on my own
wisdom nor on any human devices, but on many
clear intimations vouchsafed by the immortal gods,
whose guidance has led me on to entertain these

hopes and these ideas. The gods indeed are not now from afar, as often in time of old, defending us from a foreign and distant foe, but are truly present here to shelter with their sacred aid their own temples and the homes of this city. These deities, citizens of Rome, it is your duty to supplicate and venerate and implore, that the city, which they have willed to be the most beautiful and most prosperous in the world, they may now, by securing it the victory over all hostile forces by land and by sea, defend for us from the abominable criminality of the most degraded of our fellow-countrymen.

THE THIRD SPEECH OF M. TULLIUS
CICERO AGAINST L. CATILINA :
DELIVERED TO THE PEOPLE.

YOUR country, citizens of Rome, and the lives of I
you all, your goods and estates, your wives and I
children, yes, and this abode and seat of an empire most
renowned, this most fortunate and beautiful of cities,
you see to-day, by the great affection of the immortal
gods for you, and through the toils, the policy, and
the perils of myself, rescued from fire and sword,
snatched from the jaws of a horrible fate, and given
back to you safe and sound. And if a man is wont to 2
regard the day of his preservation from destruction as
not less happy and memorable than his natal day
itself, because preservation from danger is a certain
cause of joy, while the lot to which we are born is far
from certain in character, and because we have no
sensible experience of being born, whereas preservation
is attended by a sense of pleasure, surely then, just as
we have deified as a benefactor and hero the illustrious
founder of this city, so you and your posterity ought
ever to hold in high honour the man who has on this
occasion saved from destruction the city then founded
and since augmented. For we have quenched the fires

all but kindled in every quarter to wrap in flames the whole city, the temples and shrines, the houses and city walls; and our self-same hands have struck down the swords unsheathed against the state, and have torn
3 their sharp blades from your throats. But since all these things have been brought to light, made public, and fully investigated before the senate by my efforts, I will now briefly display the facts to you, men of Rome, that you, who are still uninformed and expectant, may understand how important they are and by what methods they have been traced out and pieced together.

To commence, then : when Catilina a few days since broke out of the city, seeing that he had left behind at Rome the associates in his crime, the furious leaders in this abominable campaign, I was always on the alert, and I took precautions, men of Rome, to secure our preservation in the midst of this widespread and
II secret treason. For at the moment when I was ‘driving Catilina out of the city’—I am not alarmed by the unpopular phrase, since there is more reason to fear unpopularity for having let him leave the city alive—but on that particular occasion when I was wishing him to be expelled, I was under the impression that the rest of his gang would go with him or else that any who stayed behind would be weak and feeble without
4 him. So personally, when I saw that the men whom I knew to be inflamed with the most dangerous recklessness and criminality, were still among us and had remained at Rome, I devoted every moment by night and by day to the task of seeing and ascertaining

clearly what they were doing and intending to do ; so that, since my warnings were listened to with less attention than they deserved, by reason of the incredible enormity of their crime, I might myself get so comprehensive a grasp of the whole affair as to make you at last, seeing the wicked scheme with your own eyes, take some thought for your own preservation. And so when I discovered that the envoys of the Allobroges had been approached by P. Lentulus on the question of exciting a war on the other side of the Alps and a rising in Cisalpine Gaul, that they had been sent to their countrymen in Gaul and asked to deliver a letter to Catilina on their way, that T. Volturcius had been appointed to travel with them, and that he too had been intrusted with a letter to Catilina, I thought it offered me a fair opportunity of securing a thing which was most difficult to secure and had always been the subject of my prayers, I mean, the complete detection of the whole affair not only by me myself, but also by the senate and by you. ~~Accord-~~ 5
ingly I summoned yesterday to my house those most gallant and patriotic praetors, L. Flaccus and C. Pomptinus ; I laid the facts before them, and explained what I thought ought to be done. They, with the excellence and distinction which is characteristic of all their political principles, undertook the affair without any objections or delays ; towards evening they went secretly to the Mulvian Bridge, and there posted themselves in the nearest houses, in such a way as to be one on either side of the Tiber and the bridge. To the same spot the praetors had also without exciting

- any suspicions conducted a large party of gallant men, and I had sent a still larger number of picked young men from the country-town of Reate (men to whose aid I constantly appeal in political affairs), armed with
6 swords to protect the party. Meanwhile nearly three hours after midnight, as the envoys of the Allobroges, accompanied by Volturcius and attended by a large suite, were beginning to cross the Mulvian Bridge, a sudden attack was made on them; both they and our men drew their swords.¹ The real object of the affair was known only to the praetors, and was not imparted to
III any one else. Then Pomptinus and Flaccus intervened and put an end to the affray: all the letters in the possession of the party were given up to the praetors with their seals intact. The envoys themselves were arrested and brought back to my house just before it was light. I at once summoned to my presence, before he had time to suspect anything, the prime contriver of all these horrible crimes, Gabinius Cimber: next I sent in the same way for L. Statilius and after him for C. Cethegus. The last to arrive was Lentulus, I presume because he had sat up over his letter unusually late the previous night.
- 7 The most eminent and distinguished persons in Rome, who on hearing the news had resorted to me in the morning in large numbers, being of opinion that I ought to open the letters before submitting them to the senate, that it might not be thought, supposing there to be nothing in them, that I had caused such an alarming panic in Rome for nothing, I said that in a matter involving public danger I could not consent to

anything short of submitting the whole affair without prejudice to the assembly in charge of public affairs. In fact, citizens of Rome, I thought that, even if what had been reported to me should not be found in the letters, I had no right in matters of such peril to the public safety to be afraid of being accused of over-cautiousness. So, as you have seen, I hastily convened a full meeting of the senate. Meanwhile, on the sug- 8
gestion of the Allobroges, I at once sent a praetor, the gallant C. Sulpicius, to seize any weapons that might be found in Cethegus's house : and he did seize there a very large quantity of daggers and swords.

When the senate met, I brought forward Volturcius IV
without the Gauls ; at the direction of the senate I promised him full security ; I advised him to disclose fearlessly all he knew. Then having been reassured with some difficulty after his great alarm, he said that he had Lentulus's orders in a letter to Catilina, to the effect that he was to resort to the aid of slaves, and to march on Rome with an army as soon as possible ; the scheme being this, that when they had fired the city in every part, according to a plan assigning each man his district, and had effected an indiscriminate massacre, Catilina might be ready there to intercept the fugitives and join forces with those commanding within the walls. The Gauls were 9
then brought in, and said that they had been sworn to secrecy and had received from Lentulus, Cethegus, and Statilius a letter addressed to their tribe, and that the directions given to them by those three men and by L. Cassius were that they should send cavalry to

- Italy as soon as possible ; they would themselves have plenty of infantry. They said that Lentulus had assured them that he was the third Cornelius designated in the Sibylline oracles and the prophecies of ancient seers as destined by fate to receive the sovereignty and rule of Rome ; and that Cinna and Sulla had preceded him in that position.¹ They said that Lentulus had also told them that this year was fated to witness the destruction of this city and empire, being the tenth year after the acquittal of the Virgins and the twentieth after the great fire on the Capitol.
- 10 They said also that there had been a difference of opinion between Cethegus and the rest on one point, Lentulus and others thinking that the massacre should be commenced and the city fired on the feast of Saturn,² and Cethegus considering that date too remote.
- V Not to make a long story of it, men of Rome, we ordered the missives said to have been consigned to them by each of the accused to be produced. First we showed Cethegus his seal ; he acknowledged it. We cut the string ; we read the contents. It was an autograph letter to the senate and people of the Allobroges, assuring them that the writer would do what he had promised their envoys ; and begging them likewise to do what their envoys had engaged to do for him. Then Cethegus, who a few moments previously had had the assurance to make some sort of answer with reference to the swords and daggers seized

¹ L. *Cornelius* Cinna and L. *Cornelius* Sulla.

² The great slave holiday, at this time Dec. 19th.

at his house and had explained that he was a collector of fine pieces of wrought-iron, at the reading of the letter was suddenly struck dumb and completely confounded by his consciousness of guilt. Statilius was brought in; he acknowledged his seal and his handwriting. His letter was read, and the terms were almost identical: he confessed. Then I showed Lentulus his despatch and inquired whether he acknowledged the seal. He assented. 'Yes,' I said, 'the seal is well known; it is the effigy of your illustrious grandfather, who was singularly attached to his country and his fellow-citizens. The mute reproach of that face ought to have been enough to call you back from a crime so heinous.' His letter to the senate and people of the Allobroges was read, and was to the same effect: I gave him the opportunity of making any statement he chose. At first he declined to say anything; but some time afterwards, when the whole of the information had been stated in detail and taken down, he rose and asked the Gauls what connexion there was between himself and them, and why they had come to his house; and he put the same questions to Volturcius. When they replied briefly and consistently, and told him who had introduced them and how often they had come to his house, and asked him whether he had really said nothing to them about the Sibylline oracles, Lentulus, suddenly driven out of his senses by his crime, gave us a striking illustration of the power of conscience. Though he could have denied that particular charge, he suddenly contrary to all expectation admitted it. So completely

11

was he deserted not only by his well-known ability and unfailing readiness in speech, but even by his irresistible effrontery and impudence, owing to the terror inspired in him by this open exposure of his crime.

- 12 Volturcius however suddenly ordered the letter which he said Lentulus had given him for Catilina to be produced and opened; and Lentulus though exceedingly agitated by its production, acknowledged his seal and autograph. This letter bore no names, but ran thus: ‘*The bearer of this letter will tell you who I am. See that you play the man, and reflect how far you have gone already. Consider if there is anything which you have yet to do, and take care to secure all possible assistance, even in the lowest quarters.*’ Gabinius was next brought in; and though at first he began to answer impudently, he finished by not denying any of the allegations made
- 13 by the Gauls. And in my opinion, men of Rome, though most positive inferences and indications of guilt were to be derived from the letters, seals, hand-writings, and in fact the actual admissions of each of the accused, still there were others even more certain to be drawn from their blushes, their looks, their expressions, and their silence. For they remained obstinately mute, and fixed their eyes on the ground, or sometimes cast furtive glances at one another, so guiltily that they looked more like men giving information against themselves than like men having information given against them by others.

VI When the information had been given in detail and taken down, I asked the senate what step should be taken to protect the most important interests of the

state. The leading men expressed their sentiments with great decision and courage, and their ideas were adopted by the senate without any difference of opinion; and since the resolution carried has not yet been written out, I will repeat to you from memory, citizens of Rome, the tenor of the senate's decision. First the resolution conveys the thanks of the house 14 in the fullest terms to me, for having delivered the state from the most serious dangers by my energy, prudence, and foresight. Secondly a well-earned tribute of praise is bestowed on the praetors L. Flaccus and C. Pomptinus, for rendering me brave and trusty assistance, and a share of the praise is also offered to my gallant colleague, for having ceased to consult on any private or public matter the persons incriminated in this conspiracy. Next it was formally resolved that P. Lentulus, as soon as he should have resigned his praetorship, should be committed to custody; similarly that C. Cethegus, L. Statilius, and P. Gabinius (they were all present), should be committed to custody; and the same course was decided on in the case of L. Cassius who had claimed the honourable function of setting fire to the city, in the case of M. Ceparius who was mentioned in the information as charged with the duty of sounding the shepherds of Apulia, in the case of P. Furius who is one of the settlers planted by L. Sulla at Faesulae, in the case of Q. Annius Chilo who together with Furius was always employed in the negotiations with the Allobroges, in the case of P. Umbrenus a freedman who was known to have introduced the Gauls to Gabinius in the first

instance. Thus, so lenient was the temper of the senate, men of Rome, that it thought that out of this vast conspiracy, out of this enormous number of enemies belonging to our own community, the state could be saved by the punishment of nine desperate men and the minds of the rest restored to sanity.

- 15 Lastly a solemn thanksgiving to the immortal gods for their exceptional favour was voted on my account, an honour which has never before been granted to any civil magistrate since the foundation of Rome: and the terms of the resolution were that I had 'delivered the city from conflagration, the citizens from massacre, and Italy from war.' And if this thanksgiving be compared with those held on previous occasions, there is this difference between them, that all others were granted in recognition of the good government and this alone for the preservation of the state. Then the first thing which had to be done, was done and got out of the way: P. Lentulus, although as a consequence of the information which had been made public, of his own admissions, and of the decision of the senate, he had forfeited not only the privileges of a praetor but also the rights of a citizen, was allowed to resign his magistracy voluntarily, that, as the famous C. Marius had felt no religious scruples in putting to death a praetor, C. Glaucia, whom the senate had not dealt with by name, so we might not be impeded by any such scruples in punishing P. Lentulus, now only a private citizen.

VII And now, men of Rome, since you have seized and
16 secured with a firm grasp the abominable leaders in

this most wicked and dangerous war, you are bound to believe that all the forces of Catilina were defeated, that all his hopes and all his resources collapsed, when these dangers which threatened the city were averted. Yes, when I was ejecting him from the city, I foresaw this result clearly, men of Rome; I foresaw that, if Catilina were removed, I need not be terrified by the drowsiness of P. Lentulus or the corpulence of L. Cassius or the headstrong rashness of C. Cethegus. Catilina was the one man in the whole number really formidable, and he only so long as he was confined within the walls of Rome. Catilina knew everything and penetrated everywhere: he had the power and the audacity requisite for appealing, for tempting, and for working on men's feelings. He had the brain to contrive any wicked scheme, and his brain was well served by his hands and tongue. He had already selected and distributed particular individuals to carry out particular parts of his scheme; but he was not under the delusion that a thing was carried out when he had merely given the order for it. There was nothing which he did not superintend and supervise himself, nothing on which he did not bestow personal vigilance and labour; and he was well able to endure cold, hunger, and thirst. A man like 17 this, a man so determined, so audacious, so well-prepared, so shrewd, a criminal so alert, so careful in his wicked work, if I had not forced him to exchange his secret treason in our midst for the open command of his banditti,—I will say what I think, men of Rome,—if I had not done this, I should not easily have

averted from you the crushing weight of the impending disaster. Catilina certainly would not have allowed us a respite until the feast of Saturn; he would not have given the state notice so long before the day of his exile and doom, nor would he have made the mistake of allowing his seal and autograph letter to be seized and used as proofs of his flagrant guilt. As it is, in his absence all these slips have been made, with the result that no case of theft in a private house has ever been detected so plainly, as this vast conspiracy in the sphere of politics has been detected and arrested in time. But if Catilina had remained in the city up to this day, then, though it is true that, as long as he was here, I intercepted and baffled all his designs, still we should have had, to say the very least, a deadly struggle with him; nor should we ever, while he was our foe in Rome, have delivered the state from dangers so serious with peace, with order, and with silence so profound.

VIII However, all these arrangements, citizens of Rome,
18 have been made by me under such conditions as to suggest that they have been executed and ordered with the consent and by the wisdom of the immortal gods: and as we may draw this inference from the fact that the direction of matters so important by wisdom merely human appears almost an impossibility, so I may aver that the gods so graciously at this crisis vouchsafed us their help and assistance, that we could almost see them with our eyes. For to pass over other signs, such as the meteors seen by night in the west and the fiery appearance of the sky, to say nothing

of thunderbolts and earthquakes, to omit all the other portents which occurred in my consulship so frequently as to be evident intimations from the immortal gods of what is happening now, this occurrence at least, which I am about to relate to you, must not be passed over or left unnoticed. You remember of 19 course that in the consulship of Cotta and Torquatus several objects in the Capitol were struck by lightning, at the time when the images of the gods were dislodged, and the statues of ancient heroes thrown down, and brazen tablets inscribed with the laws melted. Even Romulus, the founder of this city, was struck, that is, the gilded statue which you remember on the Capitol, representing him as an unweaned infant trying to suck the she-wolf's udders.¹ And when on that occasion the seers from every part of Etruria met together, they reported that massacres and conflagrations, and the overthrow of laws, and civil and intestine warfare, and the fall of the whole city and empire, were near at hand, unless the immortal gods were pacified in every possible way and used their divine authority, so to speak, to modify the decrees of destiny. Ac- 20 cordingly, in obedience to their caution, games were then celebrated for ten days, and nothing was omitted which was likely to pacify the gods; and the seers also instructed us to make a larger statue of Jupiter and erect it in a high position and turn it towards the East in the direction opposite to its former aspect. And they said that they were hopeful that if the statue, as you now see it, looked towards the rising

¹ This is possibly the bronze wolf now in the Capitoline Museum.

sun and the Forum and Senate-house, then those schemes which had been secretly formed against the welfare of the city and empire would be brought to light, so as to be manifest to the senate and people of Rome. So the consuls of the year made a contract for its erection, but the work was executed so slowly, that it was not erected under the consuls of last year, nor in my consulship until this very day.

- IX Now who can be so obstinately blind to truth, so
21 headstrong, so deluded, as to deny all these facts which are before our eyes, and particularly the great fact that this city is under the direct guidance and authority of the immortal gods? In fact, since this answer was returned, that massacres and conflagrations and the destruction of the state were being actively arranged, and all this by your fellow-countrymen, you have actually seen for yourselves that ideas which at the time seemed to some persons incredible on account of the magnitude of the crimes, have been not only conceived by citizens of abominable character, but even seriously entertained. Again, is not the following so striking an interposition as to be clearly due to the deliberate assent of Jupiter the most supreme, I mean the fact that the statue was being set up at the very moment when early this morning the conspirators and the informers against them were being brought through the Forum by my orders to the Temple of Concord? And precisely when it was erected, facing towards you and the senate, you saw all the schemes that had been framed against the public welfare, brought to
22 light and exposed. Thus even greater hatred and

even severer punishment is merited by these men who have tried to bring desolating and unhallowed flames not only upon your homes and houses, but also upon the temples and shrines of the gods. If I said that the resistance to them came from me, I should be taking too much upon myself and be deemed presumptuous. No, Jupiter, Jupiter himself, has resisted them; Jupiter has willed the preservation of the Capitol, of these temples, of the whole city, of all of you. Only under the guidance of the immortal gods did I entertain this determination and this purpose, men of Rome, and arrive at these important sources of information. Yes, Lentulus and our other internal enemies would surely never have been so insane as to intrust interests so important to strangers and foreigners, if the immortal gods had not deprived their violent minds of all reasoning faculties. What? do you think that it was not due to divine interposition, that these Gauls, members of a community barely pacified, the only tribe left which seems able and not disinclined to make war upon the Roman people, disregarded the chance of independence and the offer of enormous benefits voluntarily made to them by these patricians, and put your welfare above their own advantage? particularly when they could have secured their victory over us not by fighting but by simply holding their tongues.

So, citizens of Rome, since a public thanksgiving has X
been voted to be held at all the sacred couches, keep 23
the festal days with your wives and children. Many
honours justly deserved have often ere now been paid

to the immortal gods, but surely none more justly due to them than these. For you have been rescued from a most barbarous and heartrending destruction, and rescued without bloodshed, without slaughter, without an army, without a prolonged struggle; by civil weapons, and with me in my civil capacity as your only
24 leader and general, you have won the day. Yes, recall to memory, men of Rome, all our internal dissensions, not only those of which you have heard, but those which you yourselves remember and have seen. L. Sulla crushed P. Sulpicius; C. Marius, the protector of this city, and many gallant men, Sulla partly drove out of Rome and partly put to death. Cn. Octavius when consul ejected his colleague from the city by force of arms; all this place was heaped high with the bodies and ran red with the blood of citizens. Cinna acting with Marius afterwards got the upper hand; his victory, which involved the death of men of the greatest renown, extinguished the most brilliant ornaments of our community. Sulla afterwards took vengeance for these barbarities: I need not say what havoc his reprisals wrought among the citizens and what ruin they brought upon the state. M. Lepidus quarrelled with the illustrious and gallant Q. Catulus: the country had to mourn less for his death than for
25 the other deaths that it involved. Yet all these former dissensions were such as tended not to the destruction of Rome but to some change in the form of government: the men I have mentioned did not desire to destroy all government, but merely to secure the principal part in whatever government there was; they

did not wish that this city should be burnt down but that they should be powerful in her. In this war, the greatest and most barbarous within the memory of man, a war such as no uncivilised government has ever carried on with its own subjects, a war in which Lentulus, Catilina, Cethegus, and Cassius, deliberately adopted the principle that all persons, whose safety would be secured by the safety of the city, should be reckoned as enemies, in this war, I say, men of Rome, I have conducted myself so as to preserve the safety of all of you, and though your enemies had imagined that only so many of the citizens would survive as should have escaped the indiscriminate massacre, and only so much of the city, as could not have been reached by the flames, I have kept both the city and the citizens absolutely untouched and unharmed.

For these important services, citizens of Rome, I do XI
not require from you any reward of merit, any outward 26
sign of honour, any memorial of my renown, except
the eternal remembrance of this day. In your hearts
and there alone I desire that all my triumphs, all my
honourable distinctions, all the memorials of my glory,
all the outward signs of my fame, may be laid up and
stored. No material reward can please me, nothing
that is lifeless and mute, nothing in short that men
less worthy can obtain. By your remembrance, men
of Rome, our deeds will be kept fresh, in the phrases of
ordinary life they will be perpetuated, in the records
of literature they will reach maturity and lasting
strength. I understand that the same period, never to
end I hope, will now witness the prolonged welfare of

the city and the prolonged remembrance of my consulship; and I know that at the same moment two citizens appeared in Rome,¹ the one destined to extend the bounds of your empire not to the ends of the earth but to the limits of the sky, the other to preserve from destruction the seat and centre of that same extended empire.

XII But since the fate of the services which I have
27 rendered, is very different from the fortune of those who have had the charge of foreign wars, in that I have to live with those whom I have vanquished and subdued, while they left their enemies behind them either slain or completely crushed, it is your duty, citizens of Rome, if it is right that others profit by their deeds, to take precautions that I may not some day be a loser by mine. I took precautions that the wicked and abominable designs of violent men might be no injury to you: it is yours to take precautions that they may not injure me. However, men of Rome, to me myself no injury can now be done by them. There is a strong defence to be found in the favour of the good citizens, and this I have secured for ever; there is a strong authority in the state, and this will always silently defend me; there is great strength in the voice of conscience, and those who disregard its warning, when they wish to assail me, will betray them-
28 selves. There is moreover in us, men of Rome, a spirit that will not allow us to submit to violence from any man, but on the contrary will make us always anticipate

¹ Cn. Pompeius Magnus and Cicero himself were both born in 106 B.C.

attack by challenging all bad men. But if these foes that are of our own household, foiled in their assault on you, direct their whole violence against me alone, you will have to consider, men of Rome, what fate you wish to be hereafter the reward of those who for your welfare have exposed themselves to unpopularity and perils of every kind. For me personally what is there which can now increase the good to be derived from life, especially as I see no higher step to which I care to mount either in the distinctions which you confer or in the fame that virtue brings? I will 29 assuredly, men of Rome, devote myself to the task of preserving and keeping bright in private life the work which I have done as consul, so that if any unpopularity has been incurred by my efforts to preserve the state, it may recoil on those who excite it, and redound only to my honour. In short, I will so behave in public life as to bear in mind always what I have done, and to prove that my success should be ascribed to my own efforts and not to accident. Do you, citizens of Rome, since it is now evening, worship Jupiter, the great protector of this city and of you, and disperse to your own homes; and though the danger is now averted, still keep watch and ward as carefully as on the former night. I will provide that you may not be obliged to watch much longer, and that you may be able to remain in perpetual tranquillity.

THE FOURTH SPEECH OF M. TULLIUS
CICERO AGAINST L. CATILINA :
DELIVERED IN THE SENATE.

I I PERCEIVE, my lords, that the faces and the eyes
I of all present are turned towards me : I perceive
that you are anxious not only as to the danger to
yourselves and the country, but even, supposing that
danger to be averted, as to the personal danger to me.
Pleasant indeed to me in the midst of misfortunes,
and gratifying in the midst of sorrow, is this exhibi-
tion of your good-will ; but, by the love of heaven,
cast that good-will aside, forget my safety, and think
only of yourselves and your children. I, having ac-
cepted the consulship, as I did, with the implied con-
dition of bearing to the end all indignities, all forms of
grief and anguish, will bear all not only bravely but
even cheerfully, if only my labours may win honour
2 and safety for you and for the people of Rome. Yes,
I am the consul, my lords, for whom neither the Forum,
in which all justice is centred, nor the Campus, which
is hallowed by the auspices of the consular elections,
nor the Senate-house, which is the asylum of the
world, nor the home, which is the universal sanctuary,
nor the bed which is dedicated to rest, no, nor even

this honoured seat of office, has ever been free from peril of death and from secret treason. I have held my peace as to much, I have patiently endured much, I have conceded much, I have remedied much with a certain amount of suffering to myself, though the reason for alarm was yours. At the present moment, if it was the will of heaven that the crowning work of my consulship should be the preservation of you and the Roman people from a most cruel massacre, of your wives and children and the Vestal Virgins from a most grievous persecution, of the temples and shrines of the gods and this most fair fatherland of us all from the most hideous flames, of the whole of Italy from war and devastation, let me even now confront whatever terrors fortune has in store for me alone. Yes, if P. Lentulus was misled by soothsayers to imagine that the name he bears was ordained by fate to effect the ruin of the state, why am I not to rejoice that my consulship has proved to be, as it were, ordained by fate to preserve the safety of the Roman people? Therefore, my lords, take thought for yourselves, provide for your fatherland, preserve yourselves, your wives, your children, and your properties, defend the name and existence of the Roman people: cease to consider me or to think of my interests. For in the first place I am bound to hope that all the guardian deities of this city will reward me in proportion to my merits: secondly, even if anything happens to me, I shall die contented and prepared; for no form of death can be a disgrace to a brave man, a premature end for one who has been consul, or a source of grief

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to one who is wise. Yet am I not a man so iron-hearted as not to be affected by the grief of my most dear and loving brother present here, nor by the tears of all these friends whom you see seated around me. Nor can I prevent my thoughts being often recalled to my own home by my despondent wife and my terrified daughter and my infant son (whom I think the state is cherishing as a sort of pledge for my loyalty as consul), or by my son-in-law who stands within my view awaiting anxiously the result of this day. Yes, I am affected by all those thoughts; but my anxious wish is that they all should be preserved with you, even if any violence strikes me down, rather than that we and they should perish together in the general ruin of our country.

- 4 Therefore, my lords, strain every nerve for the preservation of the state, look in every quarter for the storms, which will burst upon you, if you do not see them in time. It is no Ti. Gracchus, who is brought to bay before the tribunal of your rigorous justice, for an attempt to be elected to a second tribunate, no C. Gracchus for an effort to rouse the land-party, no L. Saturninus for the murder of a C. Memmius. No, you have seized men who have remained behind at Rome to burn down the city, to massacre you all, and to welcome Catilina; you have seized their letters, their seals, their autographs: in short, you have the confessions of every one of them. They are appealing to the Allobroges, they are raising the slave population, they are sending for Catilina; in short they have formed the design that by the murder of us all no

single man shall be left even to weep for the name of the Roman people and to lament the downfall of this great empire. All these facts have been reported by III the informers, confessed by the accused, adjudged true 5 by you in many judicial decisions, in the first instance in that you thanked me in extraordinary terms and passed a resolution that the conspiracy of these abandoned men was detected by my energy and care, secondly in that you compelled P. Lentulus to resign the praetorship, thirdly in that you voted that he and the rest whom you adjudged implicated, should be committed to custody, and especially in that you passed a resolution for a public thanksgiving on my account, an honour never before conferred on a person acting in a civil capacity, and lastly in that only yesterday you rewarded munificently the envoys of the Allobroges and Titus Volturcius. All these facts tend to show, that the persons then committed to custody by name have been without any hesitation declared guilty by your verdict.

But I have determined to consult you, my lords, 6 without reference to the past, as to your judgment on the facts and your decision as to the punishment. By way of preface, I will say no more than what I must say as consul. I saw long ago that great recklessness was rife in this state, that some new agitation was proceeding, and that some mischief was brewing; but I never imagined that Roman citizens were engaged in a conspiracy so vast and so destructive as this. At the present moment, whatever the matter is, in whatever direction your feelings and sentiments incline, you

must come to a decision before sunset. You see how serious an affair has been brought to your notice ; if you think that only a few men are implicated in it, you are gravely mistaken. The seeds of this evil have been carried further than you think ; the contagion has not only spread through Italy, but it has crossed the Alps and has already infected many of the provinces in its insidious progress. It cannot possibly be stamped out by suspense of judgment and procrastination ; however you decide to deal with it, you must take repressive measures without delay.

- IV I see that as yet there are only two motions, one
7 of that D. Silanus, who proposes that men who have tried to destroy so much, shall be punished by death, the other, that of C. Cæsar, who omits the punishment of death, but includes in his proposal the severities of all other forms of punishment. Both the proposers deal with the culprits with the utmost rigour, as their own high positions and the magnitude of the interests at stake demand. The former is of opinion that men who have attempted to deprive us all of life, to destroy this empire, and to blot out the name of the Roman people, ought not to enjoy for a single second the privilege of life and the breath which we all share ; and he bears in mind that this particular punishment has often been resorted to at Rome in dealing with disloyal citizens. The latter understands that death has not been ordained by the immortal gods as a method of punishment, but is either an inevitable consequence of natural existence, or a peaceful release from labours and

afflictions; thus the wise have never faced death with reluctance and the brave have often met it gladly; but imprisonment and especially perpetual imprisonment has certainly been devised as the exceptional penalty for abominable crimes. He therefore proposes to distribute them among the municipal towns for custody,—an arrangement which seems to involve some unfairness, if you mean to make it compulsory on the towns, and some difficulty, if you ask their consent: still let his resolution be passed, if you choose. I will give my attention to the matter; and 8
I expect I shall discover people who will think themselves bound by their high position not to refuse to do what you determine to be best for the general safety. He adds a provision inflicting a severe penalty on the town, if any of the prisoners escape: by this he secures that their imprisonment shall be extremely close and such as these abandoned criminals deserve. He provides that no one shall be able by a vote of the senate or of the people to remit any part of the punishment of the condemned men: so he deprives them even of hope, generally a man's only consolation in affliction. Besides this he proposes the confiscation of their property; he leaves these abominable men nothing but their lives: if he had taken their lives, he would at one stroke have delivered them from many mental and physical pains, and in fact from all penalties for their crimes. Thus that there might be something to terrorise the wicked during their lives, our ancestors taught that there were ordained for the impious certain material punishments in the lower

world, clearly because they understood that if these were abolished, death by itself need excite no apprehension.

V At this moment, my lords, I see well which way
9 my own interest lies. If you adopt the proposal of C. Cæsar, then since he has adopted that course in political life which is considered 'popular,' perhaps as he is the originator and advocate of the motion, I shall have less reason to fear an outburst of popular resentment. If you adopt the alternative proposal, possibly I shall bring upon myself a larger amount of embarrassment. But in any case let the chances of danger to me be entirely neglected in comparison with the advantages to the state. We have then from Cæsar, as his high position and the distinction of his family required, a motion which is a sort of guarantee of the lasting nature of his patriotism. He has realised the difference between the irresponsibility of demagogues and a real devotion to the true welfare of the
10 people. I see that of those gentlemen who are anxious to be considered 'popular,' a certain person¹ is absent, afraid presumably of having to vote for the capital punishment of Roman citizens. Yet the day before yesterday this person helped to commit Roman citizens to custody and voted a thanksgiving in my honour, and yesterday joined in bestowing the highest rewards on the informers. By this time no one can hesitate to pronounce what opinion has been formed about the facts and merits of the whole case by a man who voted for thus confining the accused, congratulat-

¹ Probably Q. Metellus Nepos, tribune in 62 B.C., is referred to.

ing the investigator, and rewarding the informer. C. Cæsar, however, is aware that the Sempronian law was enacted for the benefit of Roman citizens only; that a man who is an open enemy of the state, cannot really be a citizen; in short, that the man who carried the Sempronian law was himself by the orders of the people punished for treason to the state. Moreover he certainly does not think that this Lentulus, however extravagant in his bribes, having entertained so cruel and barbarous a design for the ruin of the Roman people and the destruction of this city, can possibly be called a 'popular leader.' Accordingly this mildest and most merciful of men does not hesitate to consign P. Lentulus to perpetual chains and darkness, and prohibits strictly any action in the future, by which any one may advertise himself by remitting part of the punishment and be hereafter 'popular' to the ruin of the Roman people. He even adds to the penalties the confiscation of the property of the accused, that every mental and physical pang may be aggravated by want and beggary.

↳Therefore, if you decide on this course, you will VI
provide me when I address the people with a com- II
panion who is a popular favourite: if, on the contrary,
you prefer to adopt the motion of Silanus, you will
have no trouble in freeing me from the odious imputa-
tion of barbarity, and I shall maintain that it was by
far the more lenient alternative. Although, my lords,
in punishing a crime so inhuman, is there any possibility
of barbarity? My opinion is determined by my own
feelings: for I protest, as I hope to enjoy with you the


benefits of the preservation of the state, that the sternness of my action in this case is not inspired by any harshness of temper,—who can be more merciful than I am?—no, but by a quite exceptionally humane and merciful state of mind. For I think I see before my eyes this city, the light of the world and the refuge of all nations, sinking into one sudden conflagration; my imagination pictures in a dead and buried city wretched heaps of unburied citizens; yes, I am always seeing the frenzied look of Cethegus as he revels in
12 your slaughter! But when I contemplate the idea of Lentulus reigning as king, as he confessed that he had been led to hope by the oracles, when I imagine that Gabinius is acting as his grand-vizier, and that Catilina has arrived with his army, then I am dismayed by the lamentations of matrons, the hurried flight of girls and boys, and the persecution of the Vestal Virgins; and so, because such outrages seem to me grievously pitiable and to be pitied, I show myself severe and strenuous in dealing with those who intended to commit them. In fact, I ask whether a father, who finds his children killed by a slave, his wife murdered, and his house burnt, and does not wreak the bitterest vengeance on that slave, is considered mild and merciful rather than most unnatural and barbarous? I confess that to me he would seem unfeeling and iron-hearted, in not assuaging his own pain and anguish by causing pain and anguish to the guilty person. So it is with us: if in dealing with these men who intended to butcher us and our wives and children, who tried to raze to the ground the

homes of every single one of us and this city, which is the seat of all government, who worked with the object of establishing the tribe of the Allobroges on the ruins of this town and on the ashes of our demolished empire, if we act with the greatest severity, we shall still be accounted merciful; but if we choose to be too easy-going, then we must submit to be thought most utterly heartless in thus ignoring the ruin of our country and our fellow-citizens. Or 13 perhaps some people thought the gallant and patriotic L. Cæsar too heartless the day before yesterday, when he said that his noble sister's husband, who was present and listening to his speech, ought to be deprived of his life, stating that his own grandfather¹ was executed by the order of the then consul and his uncle, a mere lad, sent with a message by his father, was put to death in prison. And had they done anything like this? Had they entered into any plot to destroy the state? No! There was only a disposition to make some sort of distribution then prevalent at Rome, and a certain amount of competition between parties. And yet at that time the illustrious grandfather of this very Lentulus armed and pursued Gracchus! That Lentulus even received a severe wound on that occasion in his efforts to preserve from harm the highest interests of the state: this Lentulus calls in the Gauls to destroy the foundations of the Roman state, raises the slave population, summons Catilina, assigns the task of butchering us to Cethegus,

¹ M. Fulvius Flaccus, who with his sons was killed by L. Opimius at the same time as C. Gracchus; see Cat. I. § 4.

and that of killing the rest of the citizens to Gabinius, the work of setting the city on fire to Cassius, and that of devastating and pillaging the whole of Italy to Catilina. You must be very much alarmed, I should think, of being thought to have come to a decision too severe in dealing with a crime so brutal and abominable as this! No, there is much more reason to fear that the mitigation of the penalty will be considered a cruelty to our country, than that severity in punishing them will be taken as an excess of harshness towards these vindictive foes.

VII But, my lords, there are things coming to my ears
14 which I cannot ignore. Expressions, which are brought to me, are being used recklessly by persons who seem to be afraid of my not having sufficient strength at my command to carry out the instructions upon which you may determine to-day. On the contrary, my lords, every precaution has been taken, every preparation and every arrangement made, not only with the utmost carefulness and diligence on my part, but also by the much more ardent desire of the Roman people to retain the supreme executive power unimpaired and to preserve the fortunes of all. All the members of all the privileged orders are present, all citizens, in short, of all ages: the Forum is full, the temples round the Forum are full, all the approaches of this temple and of this place are crowded. This is the only known instance since the foundation of the city of a cause in which all men are absolutely unanimous, excepting only those who, seeing that they were bound to perish, preferred to perish in the universal ruin rather than

alone. These men indeed I willingly except and 15
exclude from what I say ; and I think that they should
be classed not as bad citizens merely, but as vindictive
foes. But all the rest, great heavens ! in what crowds,
with what enthusiasm, with what noble energy they
unite in their desire to promote the general safety
and honour ! Why should I here mention specially
the Roman knights ? They concede to you indeed
the chief place in rank and deliberative power, but
they still claim to vie with you in patriotism. After
an alienation of many years' standing from this noble
house they have been recalled to relations of union
and harmony ; and now the circumstances of this day
and of this affair ally them closely to you. And if this
alliance, cemented by the events of my consulship, is
maintained by us as a permanent political union, then
I assure you that no purely internal and civil mischief
will ever hereafter affect any department of our public
life.  I see that the gallant order of the Tribuni
Aerarii has come down animated by equal ardour for
the defence of the state : and similarly I see that all
the public clerks, though, as it happens, to-day would
have taken most of them to the Treasury, have been
diverted from their anticipations as to their assign-
ments to the far higher thought of the public welfare.
The whole mass of freeborn citizens is present, not 16
excluding the poorest classes : for who indeed is there
to whom these temples, the sight of the city, the
possession of freedom, in short the light of the sun
and the soil of his fatherland, are not more than dear,
are not a source of joy and delight ? It is worth while, VIII

my lords, to mark the enthusiasm even of the freedmen, who having by their merits won the privilege of citizenship here, deem this their native land, which certain men born therein, ay, and born in the highest positions, have deemed not their native land but a hostile city. But why do I recount to you these individuals and classes, who have been aroused to defend the safety of their country by the thought of their private properties, their common political welfare, in short, their liberty, to all men the most precious of possessions? There is no single slave, at least no one serving under any endurable form of slavery, who does not shudder at the violence of these citizens, who does desire this existing system to stand, who does not contribute all the sympathy he dares and can bestow to

17 support the general safety. So if any of you chance to be disturbed by the rumour which has been circulated, that one of Lentulus's vile agents is running round among the small shopkeepers, and expecting that the support of the needy and inexperienced can be had at a price, it is true that the experiment has been begun and tried; but no persons have as yet been discovered so afflicted by fortune or ruined by their own bad habits, as not to desire the safety of the place of their workman's bench and their trade and daily livelihood, their sleeping-room and snug bed, the preservation in short of the peaceable routine of their lives. No! a very large majority of the shopkeepers,—I must rather say, the whole of the shopkeeping class,—is profoundly attached to peace and order. For every means of trade, every industry and source of profit, is sup-

ported by the presence of large numbers of citizens and is kept up by peace and order: and if the profit generally diminishes when the shops have to be shut, to what was it likely to fall, if they were burnt?

Under these circumstances, my lords, you will not 18
be left without the open support of the Roman people ;
do you look to it that the Roman people may not think
themselves left without yours. You have a consul IX
who has been preserved from very many perils and
secret treacheries, yes, from the very jaws of death,
not for the prolongation of his own life but for the
promotion of your welfare. All the privileged orders
are united in heart and mind and voice for the pre-
servation of the commonwealth. The native land of
all of us, beset by the firebrands and swords of an in-
famous conspiracy, extends to you her suppliant hands ;
to you she commits herself, to you the lives of all her
citizens, to you the citadel and the Capitol, to you
the altars of the Penates, to you the eternal fire of
Vesta burning yonder, to you the temples and shrines
of all the gods, to you the walls and buildings of the
city. On the fate moreover of your own lives, of the
souls of your wives and children, of the properties of
all, of your homes and your hearths, you have your-
selves to decide this very day. You have a leader 19
who remembers you and has forgotten himself, an
advantage you cannot always secure. You have all
classes, all individuals, the whole people of Rome,
to-day for the first time in a political question, abso-
lutely unanimous. Reflect by what exertions this
empire was established, by what energy our freedom

was built up, by what special favour of heaven our fortunes have been augmented and accumulated, and how nearly a single night has destroyed all. To-day we must provide that hereafter no such design can ever be carried out, or even formed, by any Roman citizen ; and all this I have said not to kindle your enthusiasm, which almost outstrips mine, but that my voice, which is bound to be the leading voice in the state, may not be thought to have wearied in the discharge of my duty as consul.

X Now, however, before I turn to the question, I will
20 say a few words about myself. I see that I personally have drawn upon myself the wrath of a host of enemies as great as the whole gang of these conspirators, and that you can see is large indeed ; but I am of opinion that that band is discredited and weak and despicable. But if ever that gang is excited by the criminal recklessness of any individual till it is too strong for your authority and that of the state, still I shall never, my lords, repent of my actions and my policy. Death indeed, with which they perhaps threaten me, is the ultimate lot of all ; but no one has yet obtained in life a position so honourable as that to which your resolutions have elevated me. In all former cases you have voted thanks for the good government, to me alone have you voted thanks for
21 the preservation of the state. Let the great Scipio be ever famous, whose brave and wise policy compelled Hannibal to return to Africa and abandon Italy. Let the second Africanus, who destroyed the two cities most dangerous to this empire, Carthage and Numantia,

be honoured with extraordinary renown. Let the famous Paulus be deemed a man of mark, whose triumphal procession was made illustrious by the captive Perses, once the most powerful and most noble of kings. Let Marius have undying honour, who twice delivered Italy from invasion and from fear of slavery. Let Pompeius rank before them all, whose great deeds and merits are limited only by the same tracts and boundaries as those of the sun's course. Surely among these glorious memories our fame will find some place, unless perhaps it is greater to throw open provinces to our advance than to provide that even those who are absent may still have some home to which to return in triumph. However in one way 22 the conquerors of external foes are in a better position than the conquerors of internal enemies, because foreign enemies are either crushed and reduced to slavery, or are made friends and think themselves bound to gratitude by the favour; but those members of the community who have been led astray by some insanity and once begun to be enemies of their country, you can never, after repelling their efforts to ruin the state, subjugate them by force or conciliate them by kindness. So I recognise that I have engaged myself in an endless war with abandoned citizens; but by the help of you and of all loyal men and by the remembrance of the past dangers (which I am sure will ever remain deeply rooted not only in this people which has been preserved from them, but even in the common talk and memory of all nations), I trust that that enmity can easily be averted from me and mine. Nor will

there assuredly ever be found a force strong enough to break asunder and shatter the close alliance between you and the Roman knights and the perfect unanimity which exists among all loyal citizens.

- XI Under these circumstances, my lords, in the place
23 of the military command, the army, and the province, which I have given up, for the triumph and the other outward signs of honour which I have spurned in order to act as the guardian of the city's welfare and of yours, for the attachment of provinces to me as their patron and protector, which nevertheless my work here in the city preserves as indefatigably as it earns, for all these things, I say, and in return for my extraordinary devotion to you, and for my watchfulness for the preservation of the state, which is before your eyes, I demand nothing at your hands but that you should remember this crisis and the whole of my consulship: so long as that remains rooted in your minds, I shall regard myself securely fortified against all assaults. But if my hopes are destined to be falsified and defeated by disloyal violence, I commend to you my infant son, who will surely find protection enough not only to secure his safety but even to advance him to honour, if you but remember that he is the son of the man who has preserved all that you hold dear, alone and at his
24 own risk. Wherefore come to a decision with care, as you have determined to do, and with courage, as to the supreme welfare of yourselves and of the Roman people, as to your wives and children, as to your altars and hearths, your sanctuaries and temples, the buildings and homes of the whole city, as to your sovereignty

and your liberty, the safety of Italy, the whole commonwealth of Rome. You have a consul who will not hesitate to obey your instructions, and who is able to uphold your decisions as long as he lives and to take upon himself the entire responsibility.

THE SPEECH OF M. TULLIUS CICERO
IN DEFENCE OF L. MURENA.

1 THE prayer which I offered to the immortal gods,
1 gentlemen of the jury, in due observance of
the usages of our forefathers, on the solemn day on
which after the performance of the religious rites at
the Centuriate Assembly I declared L. Murena duly
elected consul, praying that his election might prove
to be for the welfare and prosperity of me and of my
high office, of the People and Commons of Rome, that
same prayer I now address to the same immortal
powers for the confirmation in the consulship by your
acquittal to-day of the man you then elected, and
therein that your inclinations and your verdict may
accord with the will of the Roman people as expressed
by their votes, and that your act may bring to you and
to the Roman people peace and quiet, security and
harmony. But if that venerable prayer, hallowed as
it is by the auspices taken at the election of a consul,
possesses as much religious force as the high estate of
Rome demands, it involved a special prayer from me
personally, that my act might be for the good fortune,
felicity, and prosperity, of those persons who had
received the consulship from an assembly of electors

convened by me. This being admitted, gentlemen, 2
and seeing that in this matter the entire authority of
the immortal gods has been either wholly delegated
or at least imparted to you, I as consul commit to your
consciences the decision which as consul on the former
occasion I committed to the immortal powers, to the
end that my client, declared consul-elect and defended
as consul-elect by one and the same man, myself, may
retain the honour then conferred upon him by the
Roman people, to the welfare of you and of all Roman
citizens. And now, since in my discharge of this duty
the warmth with which I am defending my client,
and even my conduct in taking up the case at all,
have been adversely criticised by the prosecution, before
I open L. Murena's case, I will say a few words on my
own behalf; not indeed because I think it more
important at a crisis such as this to vindicate my
principles than to save my client, but with the object
of presenting my action to you in the right light, and
so securing a higher moral influence for my efforts to
repulse those who are assailing Murena's new-won
honours, his good name, and his general prosperity.

So first and foremost, my good friend M. Cato, who II
directs his life by a definite philosophical rule and 3
accurately balances the relative weight of all moral
duties, shall have a statement as to my idea of my
duty in this matter. Cato considers it immoral in me,
as the consul of the year, and as the promoter of a bill
to deal with bribery, and at the close of so strict an
administration, to connect myself in any way with L.
Murena's case : and Cato's censure makes me extremely

anxious to explain the grounds of my action to the satisfaction not only of you, gentlemen, whom it is my chief duty to satisfy, but even of that great authority on morality and purity of motive, Cato himself. I will ask you then at once, M. Cato, by whom it is more natural that a consul should be defended than by another consul? Who can be, who ought to be, more closely bound to me in political life than the man to whose shoulders I transfer simultaneously [with the honour of the consulship] the heavy administrative duties which I have borne at great trouble and risk to myself? Yes, if in suits involving the title to real property, the person who bound himself by his contract of vendor, is obliged to guarantee the purchaser against any other claims, surely it is even more morally right that, if a consul-elect is being prosecuted, the brother magistrate who declared him duly elected consul, should be the person obliged to guarantee the honour conferred on him by the Roman people, and to indemnify him against any danger. And again, if counsel for the defence were to be in this case appointed by the state, as is usual in some countries, surely the man thus deputed would be, since the office assailed is the highest office, precisely that man who had been thought worthy of the same office himself, and so would bring to his task as much moral influence as ability. And yet again, if when men are putting out of harbour, those others, who have at last reached the haven and escaped the perils of the deep, usually do their utmost to give them their experience as to storms and pirates and routes (because we naturally

incline to feel well towards those who are about to encounter the dangers which we have surmounted), how, I ask you, ought I to feel, when just sighting land after so stormy a voyage, towards my friend here, whom I see destined to face the most violent disturbances in the political atmosphere? Accordingly, if it is admitted that a good consul is bound to take thought for the future as well as to observe the present, I will demonstrate elsewhere how essential it is to the public safety that there should be two consuls holding office on the first of January. And if this is the case, 5 then clearly I have been appealed to, not so much by the call of duty towards a personal friend, as by the claims of patriotism on me as consul to safeguard the welfare of the community.

It is true that I have been the promoter of a bill III against bribery; but I am certain that I have promoted it on the understanding that I have not thereby repealed the law which I long ago made for my own conduct in defending my fellow-countrymen. Of course if I admitted that money had been distributed, and maintained that such a proceeding was right, I should be acting discredibly, even if some one else had been the promoter of the bill! But since it is my contention that there has been no breach of the law, what reason is there why my having promoted the bill should debar me from appearing on behalf of my friend? You tell me, Cato, that my present conduct 6 in speaking for L. Murena is inconsistent with the strenuous severity with which, when Catilina was plotting within the walls of Rome the ruin of con-

stitutional government, I drove him from the city by my invectives, and by all but an exercise of my official powers. I however know well that I have always delighted to act the mild and merciful parts to which nature has prompted me, and that I have never been ambitious for a rôle involving harshness and rigour, though when cast for such a part by the exigencies of public life, I have played it with a due regard to the claims of this responsible office in times of extreme peril to my fellow-countrymen. But if, on occasions when the political situation required rigorous energy, I overcame my natural bent and was as severe as I was forced to be and not as I wished to be, with what enthusiasm may I not now, pray, when I have every reason to listen to the appeal of compassion and considerateness, feel the obligation to adhere to my natural and habitual course? As to the sense of duty, then, which leads me to defend and as to the theories which lead you to prosecute, I shall perhaps have something to say in another part of my speech.

- 7 But at present, gentlemen of the jury, I was less agitated by the definite charge made by Cato than by the plaintive protest of the learned and accomplished Servius Sulpicius, who stated that he was most seriously annoyed that I had so far forgotten what is due to our intimate friendship as to defend L. Murena against him. To my friend Servius, gentlemen, I am anxious to justify my conduct, and I desire you to arbitrate between us: for just as it is a serious matter to have a true accusation brought against one by a friend, so even when the accusation is not true, it cannot be left un-

noticed. Now on my side, Ser. Sulpicius, I admit that, when you were a candidate, I as an intimate friend was bound to render, and I think that I did so render you, strenuous and willing service in every respect. When you were standing for the consulship I left nothing undone which could be required from me as a friend, as an influential person, or as the consul of the year. But that occasion has passed away; and with it the circumstances have changed. It is my opinion, it is my settled conviction, that I was bound to render you whatever assistance you made bold to ask, to prevent L. Murena from obtaining the office, but that I am not bound to help to damage him now. Nor am I bound, 8 because I supported you then, when you were aiming at the consulship, to assist you to the same extent now, when your aim is at Murena himself. Nor can one even admit, much less commend, the principle that, if one's friends are prosecuting, one may not defend anybody one chooses, even the most complete strangers.

Now I can say, gentlemen, that there exists a firm IV
friendship of long standing between Murena and myself; and in this trial, which involves his civil rights, I will certainly not allow that friendship to be overborne by Ser. Sulpicius, because it gave way to his claims when an official position only was the object of competition. And even if I had not this reason, still such is the personal distinction of my client and such is the dignity of the office which he has secured, that my conduct would have been justly stigmatised as the most utter pride and heartlessness, if I had chosen to decline a case so critically important to a career of

such brilliant personal and political successes. I have indeed no choice; nor is it possible for me not to do all I can to assist those who are in peril. For knowing as I do that I have received an unprecedented recognition of my labours in this field, I feel that, if one has taken people up,¹ to turn one's back upon them after securing one's position, would indicate
9 low cunning and ingratitude combined. But if I may withdraw, if you sanction such a course, if I incur no imputation of laziness, of pride, of heartlessness, then I withdraw with alacrity. If however to shirk hard work implies sloth, if to reject entreaties implies pride, if to desert one's friends indicates the possession of a bad heart, I cannot withdraw; for it is easy to see that this case is one on which no strenuous, no kind-hearted, no punctilious man could turn his back. And this position you can explain to yourself, Servius, by the analogy of your own professional etiquette. If you as a lawyer think yourself obliged to advise even your own friends' opponents who happen to consult you, and if you think it personally discreditable that your client should be worsted even when you have previously appeared against him, do not be so unfair as to hold that, while even your enemies may draw freely from
10 the wells of your learning, we are bound to refuse a draught even to our friends. The fact is, that if my intimacy with you had kept me out of this case, and if the same accident had prevented the appearance of the illustrious Q. Hortensius and M. Crassus, and all

¹ This sentence is so corrupt that only the general sense can be extracted from it.

the other persons whom I know to value your favour highly, the result would have been that a consul-elect would be without an advocate in a country in which former generations were anxious that even the humblest citizen should not be unrepresented by counsel. And personally, gentlemen, I should consider my conduct abominable, if I failed a friend, heartless, if I deserted the distressed, and haughty, if I declined to help a consul. I will therefore meet the claims of friendship in a generous spirit; I will deal with you, Servius, as tenderly as if my own brother, the man most dear to me, were in your place; the requirements of duty, of honour, and of conscience I will meet with such moderation as to show that I am not unmindful that I am defending one friend who is in danger against the impetuosity of another friend.

I have observed, gentlemen of the jury, that the charges made by the prosecution have fallen into three divisions; and that of these the first consists of reflections on L. Murena's private life, the second of a comparison of the qualifications of the two men, and the third of definite charges of corrupt practices. Now the first of these three divisions of the attack, which ought to have been the most serious, was of a character so weak and frivolous, that it appeared to be rather some general rule for the conduct of prosecutions than any real power of making damaging statements which obliged them to say something about Murena's mode of life. For instance, the mere name of the province of Asia has been used as a taunt against him. Yet Asia is not a country which he visited in the

pursuit of pleasure and extravagance, but a province over which he travelled in the course of his military duties: and if he had not, when a young man, served in his father's army, people would have thought either that he was afraid of the enemy or of his father's discipline, or that his father had rejected his services. The youthful sons of victorious generals are usually chosen to bestride the horses of the triumphal car; and was my client to shrink from adorning his father's triumph with the spoils he himself had gained in war, so as well-nigh to share the triumph enjoyed by his
12 father for the victories they had won together? My client, gentlemen, was in Asia, and in Asia moreover his gallant father found him a great assistance in his dangers, a great consolation in his difficulties, and a great source of satisfaction in his successes. And if Asia is not unjustly suspected of luxuriousness, it is not the never having visited Asia which is meritorious, but the having lived without extravagance in Asia. Murena should not then be taunted with the mere name of the province of Asia, a province from which his family has won credit, his race renown, and his own name honour and glory; but a definite allegation should be made of some scandal or disgrace incurred in Asia or brought home from Asia. But by seeing service in a campaign, which was the only war as well as the greatest in which the Roman people was then engaged, he has shown his energy; by serving cheerfully under his father's command he has exhibited his dutifulness; and the fact that his service was ended by the victory and triumph of his father, has

proved him to be fortunate. Surely then there is no room left for vilification at this period of his life, seeing that all such charges have been anticipated by well-deserved commendation.

Again, Cato describes L. Murena as a 'dancer.'¹ The VI
taunt is one which, even if the imputation is true, 13
indicates bitterness on the part of the prosecutor; if it
is false, the man who employs it is an abusive calumniator.
Therefore a man in a position as influential as yours, Marcus, has no right to catch up any scurrilous
epithet out of the streets or from the vulgar squabbles
of toadies, and recklessly describe a consul of the
Roman people as a dancer; he should reflect what
other vices must inevitably have left their mark on
the man to whom this term can properly be applied.
For there is hardly any one who dances, if he is sober,
unless he happens to be half-witted, or when he is
alone, or when he is at an orderly and respectable
entertainment: banquets commenced at an early
hour, fascinating surroundings, and luxuries of every
kind are required to lead up to such an excess as
dancing. I find you selecting for purposes of abuse
a vice which can only be the last step in a vicious
career; you pass over the other vicious habits, the
absence of which renders the appearance of this vice
impossible. You do not produce any instances of
disreputable parties, of intrigues, debauches, licen-
tiousness, or extravagance: and when you do not
find those habits, which, close as is their connexion

¹ That is, a stage-dancer, or like the mountebanks who performed before the guests at a dinner-party.

- with vice, are still denominated pleasures, do you imagine that you will find luxury's satellite where
- 14 you cannot find luxury in person? Not a word then can be said against L. Murena's private life, not one single word, I repeat, gentlemen; my defence of this consul-elect is so complete that no single instance of falsehood, avarice, treachery, callousness, or ill-nature in his past life can be brought up against him. So far so good: I have cleared the ground for my defence of him. I will not avail myself now of the eulogies of his friends, to which I will appeal hereafter; but at present I say that we are entitled by all but the actual acknowledgment of his enemies to maintain him to be a good and honourable man.
- VII And having established this, I shall proceed with less difficulty to the comparison of the claims of the two candidates, which formed the second division of the arguments for the prosecution.
- 15 I recognise that you, Servius Sulpicius, display in its brightest form all the lustre derived from nobility of family, uprightness of mind, industry of life, and all those various distinctions on which a man should very properly rely when he is a candidate for the consulship. But I recognise that these qualifications are equally brilliant in L. Murena, so equally indeed that his position is neither inferior to yours nor yet at all superior. Now you have expressed your contempt for Murena's family; you have boasted of your own: but if in this contrast you are making the assumption that no one who does not happen to be a patrician can be of good family, you make us feel that the plebeians

will have once again to secede to the Aventine. If on the contrary there are plebeian families of distinguished and honourable position, then I can assure you that L. Murena's great-grandfather and grandfather were praetors, and that his father obtained the reward of a very honourable and distinguished triumph for his services when praetor, and so made it the easier for my client to mount the next step to the consulship, because the father had already earned it when the son solicited it. Your high birth however, 16 Ser. Sulpicius, exalted as it is, is perhaps better known to men of letters [and antiquarians] than to the people and those who canvass the people. Your father indeed was only a knight; your grandfather was not widely renowned for any special distinction. Thus your title to nobility is not remembered as a recent topic of interest, but has to be dug out of our ancient registers. For this reason I have always reckoned you as belonging to the same class of public men as myself; because it was due to your own worth and energy, that though only the son of a Roman knight, you should still have been thought worthy of the highest public distinctions. And I have ever recognised as much worth in Q. Pompeius, a self-made man and a most gallant gentleman, as in the high-born M. Aemilius; for surely it shows precisely the same practical and intellectual ability to leave to one's children, as Pompeius did, a name more distinguished than it was when inherited, and to revive, as Scaurus did, by his personal worth the almost extinct reputation of his ancient family. Although, gentlemen, I 17

was certainly under the impression that my exertions had rendered obsolete the reproach of inferiority of family brought against many excellent persons, men who though they could bring forward the names not only of brave ancestors among the ancient Curii, Catones, and Pompeii, but also of more recent Marii, Didii, and Cœlii, were nevertheless slighted. And so, being the man who after so many generations broke down the aristocratic monopoly and secured that the consulship should be henceforward, as it was in our past history, as open and accessible to merit as to high birth, I certainly did not suppose that on an occasion when a consul-elect of ancient and illustrious descent was being defended by the consul in office, himself the son of a Roman knight, my friends opposite would talk about newly-risen families. In fact, it actually happened to me to stand for the consulship against two patricians, one a desperate and dangerous villain, the other a most excellent and unassuming man. But I had the advantage over Catilina in political position and over Galba in popularity. But if my success ought to have been considered criminal in a self-made man, surely there would have been plenty
18 of people who hated and envied me sufficiently. Let us therefore say no more about the question of birth, since both candidates belong to distinguished families; let us survey the other points of comparison.

‘We stood for the quæstorship together, and I was declared elected before him.’ I need not answer every statement you make. You must all see, gentlemen, that in an election at which many persons of

equally good position are being elected and only one of them can occupy the first place, precedence in rank and precedence on the list do not necessarily coincide, because on the list the persons elected must be arranged in some order of seniority, while the rank of all of them is very often the same. But the duties allotted to these two as quaestors were of very nearly equal importance. Murena held under the Titian law a quiet and insignificant post; to you fell the charge of the port of Ostia, the assignment of which at the drawing for the quaestorships is usually received with a derisive cheer, a post far less influential and attractive than it is troublesome and annoying. In neither case did the quaestorship bring the holder's name before the public; the duties allotted to you gave no scope for an exhibition of your respective abilities.

For the subsequent period in their careers a similar 19
comparison is challenged; this they employed in very
different ways. Servius remained at Rome and enlisted IX
himself with us in the anxious and irritating occupa-
tion of giving opinions, drawing up instruments, and
taking legal precautions; he devoted himself to civil
jurisprudence; he watched late and toiled long; he
was of great service to many clients; he put up with
much folly, bore with much presumption, and swallowed
much cantankerousness; his life was at the beck and
call of others, and not at his own disposal. This is a
creditable career; and it is very gratifying to society
that one man should work hard at a branch of know-
ledge which is likely to benefit large numbers. What 20
was Murena's occupation? He was second in command

to a very gallant and able man, the eminent general L. Lucullus. In this capacity he had charge of an army, commanded in the field, led his men into battle, defeated immense masses of the enemy, captured cities by assault or blockade, and lived in that province of Asia which you stigmatise as wealthy and luxurious so simply that he has not left behind him any trace of greed or extravagance. In short, in a very great war he took so prominent a part, that though he has carried out many operations without his chief, the general has done nothing without him. And though I am making these statements in the presence of L. Lucullus, still for fear you should imagine that he is conniving at misrepresentation on my part in order to shelter my client, I may remind you that all this is borne out by the evidence of the official despatches, in which L. Lucullus lavishes an amount of praise on my client which a self-seeking or jealous commander need not have bestowed on a subordinate in assigning him his share of the honour.

- 21 Both Sulpicius and Murena then possess the highest distinctions of character and position ; and for my part, if Servius would allow me, I should look upon their merit as equal and identical. But he does not permit this: he makes a dead set at the military profession ; he disparages everything connected with our military command ; he supposes that attention to business, the daily routine of the law, is the only avenue to the consulship. ‘With the army, I see,’ he says, ‘so many years ! Quite out of touch with political life ! ‘Have you been absent so long, to return at last and

‘ compete for position with men who have lived in the ‘ Forum ? ’ Well, to begin with, my dear Servius, these business habits of ours, you don’t seem to know how much they sometimes disgust and fatigue the outer world. Personally I admit that it was a distinct gain to me that my merits were kept well before the public ; still it was only by strenuous efforts that I prevented people from tiring of my performances, and the same perhaps has been the case with you. On the whole, a chance of being missed for a time would have done neither of us any harm. But let us leave this special 22 question and return to our task of comparing your respective pursuits and professions. How can there be any doubt that for the attainment of the consulship much more prestige is conferred by a display of military success than by any fame as a lawyer ? You are up before daybreak to advise your clients ; the soldier, to reach his destination with his forces in good time. You are waked by the crowing of the cock ; the soldier by the bugle-call. You are arraying an action, and he a battalion. You are guarding against the surprise of your client, he against the surprise of town or camp. He is bent on checking an enemy’s advance, you on checking the acquirement of a right to an easement of rain-water. He is occupied in the extension, you in the regulation of frontiers. So it is not strange,—for I must say what I feel,—that success in the military profession is superior to any other distinction. Mili- X
tary success has exalted the name of Roman, military success has won undying fame for Rome ; it has forced the whole world to bow to her rule ; all affairs of civil

life, all these famous pursuits of ours and the meritorious profession of the law are overshadowed as they are protected and preserved from harm by the valour of military men; and as soon as a whisper of approaching war is heard, our legal studies at once hold their peace.

- 23 And now since I see you fondling that legal learning of yours so paternally, I shall not allow you to remain under the delusion of supposing your cherished accomplishment, whatever it is, to be anything very remarkable. You have other virtues, temperance, steadiness, justice, conscientiousness, everything to qualify you, as I have always held, for the consulship and for every other office. As to your study of civil law, I will not say it is so much labour thrown away, but I will say distinctly that there is no royal road to the consulship to be found in such a course of study. All professions which are to engage the enthusiasm of the Roman people in our favour, ought to possess some prestige which easily attracts admiration and some
- XI serviceableness which secures great popularity. The
- 24 really highest prestige attaches to those who are pre-eminent for military success; for they are looked upon as the guardians and protectors of every part of our empire and of our constitution. They possess also the quality of serviceableness in the highest degree, since the public and private security which we enjoy depends on the skill they display and the risks they incur. Men of action have moreover an influence and a prestige, which has often told at the election of a consul, in the power of giving direction by their

sound sense and eloquence to the inclinations of the senate, the popular assembly, and the courts of law. We want for the office of consul a man whose words can sometimes control reckless tribunes, sway an excited people, resist financial extravagance. It is not surprising if even men of unaristocratic origin have often been raised to the consulship by the possession of this power, especially as the same quality is apt to attract the most widespread gratitude, the sincerest friendships, and the warmest supporters: but in your technical skill there is nothing of this, Servius.

In the first place no prestige can attach to a branch 25
of learning so slight as yours: for the facts it deals with are insignificant, and almost entirely mere questions of single letters and stops. Secondly, even if our forefathers found something to wonder at in your legal pursuits, wonder has long been lost in contempt since the general disclosure of legal mystifications. Whether an action would lie or not, was once a thing only known to a few persons. The legal calendar was not yet in the hands of the public; and great was the ascendancy of legal advisers. The lawyers were applied to, like Chaldean astrologers, for lucky days. But at last a clerk appeared [one Cn. Flavius], who has cut the claws of the legal harpies, and by learning up the court-days one by one put the calendar before the public [and filched their exclusive information from the cautious keepers of the law]. So the lawyers in a rage, afraid that the general publication of the arrangements as to court-days would make legal proceedings possible without their aid, invented certain formulas,

to render their presence on all occasions indispensable.

XII Though it would do beautifully in a case for one suitor
26 to say, 'That Sabine estate is mine,' and the other,
'No, it is mine,' and then get the decision, they soon
stopped that. 'The estate,' says the lawyer, 'which is
situated in the district commonly called the Sabine
district.' Wordy enough, one would think; but give
me the next clause. 'That estate I maintain to be my
property under the common law of Rome.' What
follows? 'And for the reason alleged I call upon you
to join hands with me out of court upon the said
estate.' Of course the defendant in a case had no
answer ready for a claimant so talkative. So the same
lawyer changes sides, like a Latin flute-player in an
accompaniment. 'For the said reason for which you
allege that you have called upon me to join hands
with you out of court, I in my turn call upon you to
join hands with me upon the said estate.' And for
fear the praetor should congratulate himself on his
fine position and cut in with a remark on his own
account, a sort of incantation was composed for his use
too, in all respects ridiculous, but especially in this
phrase: 'Both parties having their witnesses now pro-
sent in court, I bid you proceed to the estate in
question; proceed accordingly.' Then the wiseacre of
a lawyer popped up, to tell them how to proceed.
'Return to the court:' and he personally conducted
their return. Even at that early date these formulas,
I imagine, seemed absurd to our bearded forefathers;
and absurd it was, that people after appearing in due
course at the proper place, should be ordered to go

away, merely to return at once to the place they had just quitted. The whole business is thickly plastered with the same sillinesses, with such formulas as, 'Since I perceive you to be present in court,' and 'Will you allege the grounds upon which you have founded your claim?' As long as these forms were kept secret, application had necessarily to be made to those who were in possession of them; but when they became public property, and were roughly handled and examined, they were found to be absolutely devoid of sense, but full of folly and chicanery. There existed, for 27 instance, many excellent arrangements established by law; but most of them have been spoilt and perverted by the ingenuity of the lawyers. Our ancestors intended that women, as deficient in judgment, should be under the control of trustees: the lawyers discovered various classes of trustees, who would be subject to the control of the women. It was thought undesirable that family rites should be allowed to lapse: the ingenuity of the legal mind devised the plan of procuring aged men to enter into marriage contracts for the purpose of extinguishing the rites. In fact in every branch of civil law they deserted the spirit and clung to the letter of the statutes; so much so, that because they found a certain name used as an illustration in some one's treatises, they imagined that all women making a contract of marriage were called Gaia. And I at least often feel surprised that so many ingenious men have not been able to determine even now after so many years, whether one ought to say in legal phraseology 'the third day,' or 'the day after

to-morrow,' 'adjudicator' or 'arbitrator,' 'case' or 'suit.'

XIII Therefore, as I have said, this branch of learning
28 of yours never possessed any of the prestige which makes a man consul, since it is entirely concerned with fictions and inventions; and of popularity it is even more devoid: for no sort of popularity can attach to the exercise of an acquirement which is at every one's disposal and is equally ready to serve me or my adversary. Therefore you lawyers have lost not only all possible chance of investing your services profitably, but even the honour you enjoyed in early days of the 'May I be allowed to take your opinion?' No one can get a reputation for real wisdom by a practical dexterity which is no use outside Rome nor even in Rome during the vacation. No one can be respected for shrewdness in these matters, because there can be no difference of opinion about what is known accurately by every one. Furthermore a study is not held to be one of great difficulty, because it is comprised in a very few writings and those anything but mysterious. And so, if you provoke me to it, busy man as I am, I will profess myself learned in the law after three days' study. The fact is that everything that is transacted by written forms, is actually in the manuals; and yet nothing is expressed with such conciseness that I cannot add yet another 'with reference to the case under the consideration of the court.' To answer the questions which are brought to the lawyer, involves very little risk. If you give the right answer, people say that you have given the same answer as my friend

Servius; if your answer is different, they will think that you are actually detecting and investigating a disputable point of law.

The result is this. Not only must one rank military 29 distinction high above your formulas and processes, but even experience in public speaking is very decidedly superior to your learned exertions as a qualification for high office. And I suppose that most persons originally preferred decidedly the former qualification; and then when they found themselves unsuccessful, fell back upon your profession. And as it is said in Greece of professional musicians, that flute-players are those who have failed to learn the harp, so we see some persons coming down to the pursuit of the law from inability to succeed as barristers. The barrister's work is hard, his aim high, his practice dignified, and his chance of popularity very great: for to you men look to keep their affairs in a healthy state, to their counsel at the bar to rescue them from actual peril. Besides, your answers and opinions are often upset by a speech in court, and cannot be maintained without the aid of a practised speaker. If I had won a prominent position at the bar myself, I should speak less freely in praise of the profession: as it is, I do not refer to myself, but to those who are now, or have been in the past, eminent as barristers.

To conclude: there are two pursuits only which can XIV plant a man securely on the highest step of the ladder 30 of official distinction; the one is the profession of the general, the other that of the successful barrister. The

latter helps men to retain what makes life attractive in time of peace; the former shields them from peril in time of war. Of course all the other qualifications of character are valuable in themselves, such as justice, honour, self-respect, and soberness of mind; and every one recognises, Servius, your pre-eminence in these virtues: but I am discussing now the pursuits which qualify for high office, and not the natural graces of personal character. All such pursuits as yours we find quickly flung aside, as soon as any new conjuncture of events raises the alarm of war. In fact, as a brilliant poet and shrewd observer has well said,¹ when war's 'standards fly, men banish' not only your long-winded imitation of common-sense, but even the sovereign lady of the world, 'wisdom; violence rules the hour. They spurn' not only your tiresome garrulity in speaking but 'sound speech; they love the soldier rude:' your profession however is absolutely disregarded. 'No formal joining hands,' he says; 'the sword reclaims the state.' If this be true, then the forum must, I think, yield to the camp, legal leisure to military exertion, the pen to the sword, the sedentary to the active life. Yes, the leading influence in the state must be that of the men who have made Rome the leading power in the world.

- 31 My friend Cato, however, is trying to prove that I am using phrases which overstate this point, and that I have forgotten that the whole of our war with Mithridates was waged against an effeminate race.

¹ A disconnected quotation consisting of a few lines of hexameter verse, probably by Ennius.

But I hold a widely different opinion, gentlemen; and I will say a few words only on the point: for the case does not depend wholly on this question. If all our wars against Greeks are to be held contemptible, then one must scoff at M'. Curius's triumph over King Pyrrhus, T. Flamininus's over Philip, M. Fulvius's over the Aetolians, L. Paulus's over King Perses, Q. Metellus's over the pretended Philip, L. Mummius's over the Corinthians. But if all these were very serious wars and the victories which concluded them very gratifying, why do you pour contempt on the races of Asia and our great Asiatic enemy? I, on the contrary, find from the records of our past history that the war with King Antiochus was perhaps the greatest war the Roman people ever waged: and the successful general in that war, L. Scipio, who won in it distinction equal to his brother's renown, adopted the same means of recording his success as Publius Scipio had adopted after the conquest of Africa, by assuming an additional surname derived from the name of the province of Asia. It was a war in which your great-32 grandfather, M. Cato, displayed conspicuous gallantry; but it was a war to which he, being (as I will assume him to have been) a man of the same great qualities as I observe in you, would never have gone, if he had imagined that it was waged against an effeminate race. Nor yet would the senate have prevailed upon P. Africanus to accompany his brother as second in command, a few years after Africanus had by ejecting Hannibal from Italy, driving him out of Africa, and crushing Carthage, saved Rome from the utmost peril,

if it had not thought the war in the East really grave
XV and formidable. And surely if you consider carefully
what were the powers and the achievements and the
personal ability of Mithridates, you will most certainly
rank that sovereign far above all the monarchs against
whom the Roman people has ever waged wars. He
was a king with whom L. Sulla with his large and
tried army, a combative and dashing and not inex-
perienced commander, to say no more of him, made a
peaceable settlement, after he had carried the war
over the whole of Asia: whom L. Murena, my client's
father, after the most strenuous and unceasing efforts
to crush him, was obliged to leave only partially
repressed and not completely subdued. He was a
king who, after spending several years in strengthening
his position for war and preparing supplies, was so
sanguine and daring as to think he would ally the
Atlantic with the Euxine [and the forces of Sertorius
33 with his own]. To this war were despatched two
consuls, one instructed to pursue Mithridates, the
other to cover Bithynia: but the result was that the
disasters which befell the latter by land and by sea
enormously increased the king's power and reputation.
L. Lucullus's campaign was however so successful
that it may be reckoned one of our most extensive,
one of our most skilfully and bravely conducted
campaigns. For when the whole strength of the
enemy had been concentrated against the walls of
Cyzicus, and Mithridates, regarding that town as the
key to Asia, had formed the opinion that, if he could
force his way in there, the province would be at his

mercy, Lucullus was completely successful in all his plans both in protecting the town of our most trusty allies and in wasting all the king's forces by the prolongation of the blockade. Yes! think of the sea fight off Tenedos, when the enemy's fleet, with favourable winds and captains fired with excitement, was making for Italy, full of hope and spirit—do you think that that was only a moderately critical engagement, or a pitched battle of small importance? But I say nothing of pitched battles; I pass over cases of towns taken by assault: yet even when Mithridates was at last finally ejected from his kingdom, his strategy and influence were still so powerful that he secured the adhesion of the King of Armenia and renewed the struggle with fresh forces and supplies. If it were my XVI duty on the present occasion to descant on the exploits of our army and our general, I could mention very many very important engagements; but that is not my business now. I only say this: if the war and the 34 enemy in question, if that great king had been contemptible, the senate and people of Rome would never have been so anxious as to the conduct of affairs, nor would L. Lucullus have carried on war for so many years with so much distinction; nor indeed would the Roman people have been so eager in delegating to Cn. Pompeius the final completion of the war. And of all Pompeius's innumerable battles, to my mind the most hotly contested was the engagement in which he met Mithridates and fought it out with him. And even when Mithridates had saved himself by flight from that field and escaped to the Bosphorus, where

our army could not reach him, even as a fugitive in the direst extremity he still clung to the title of king. Thus Pompeius himself, after having annexed the kingdom, and driven his foe from every part of it and from every familiar refuge, still thought that so much depended on a single life, that, though he was in victorious occupation of all the territories that the king had won or attempted or hoped to win, he did not think he had really put the finishing stroke to the war till he had wrung from him his life as well. Is this the enemy, Cato, whom you consider contemptible? a foe with whom so many of our generals for so many years fought so many battles? a foe whose life even after he had been routed and driven out of his kingdom was considered so important by Pompeius, that till the news of his death arrived, he did not think the war really at an end? We contend then that in this war L. Murena, as second in command, exhibited extreme gallantry, supreme wisdom, and surpassing energy; and we maintain that this service of his was quite as honourable and as likely to win the consulship for him as energy devoted to the duties of our own profession.

XVII But you urge that when they stood for the praetor-
35 ship together, Servius was declared elected before Murena. Do you really intend to bring the electors to book, as if they had contracted that, whatever precedence they have once given to any person in any office, they must observe in awarding subsequent honours? Do you think that any straits of the sea, that even an Euripus ebbs and flows with so fast a tide

or has such changeable currents as are felt in the disturbed waters and shifting tides of an ordinary election at Rome? The short interval of a single day or the intervention of a single night often deranges everything, and the faintest breeze of gossip frequently reverses every expectation. Often too, anticipations are falsified without any ostensible cause, and sometimes so completely that the electors are as amazed at the actual result as if they were not themselves responsible. There is nothing more inconstant than 36 the public mind, nothing more unpredictable than human favour, nothing less to be relied on than the whole system of popular election. Who supposed that L. Philippus with his great ability, wealth, popularity, and rank, could be defeated by M. Herennius? That Q. Catulus, whose culture, wisdom, and probity were pre-eminent, could be defeated by Cn. Manlius? That that most dignified of men, that exceptional citizen, that most gallant of senators, M. Scaurus, could be defeated by Q. Maximus? Not only were all these defeats unexpected, but even after they had taken place, no one could understand how they had come about. As storms often arise after some clear and definite warning in the atmosphere, often burst upon us unexpectedly and with no assignable reason, but from some unknown cause, so in the gusts of popular feeling at the elections, often you may have seen the indications of the gathering excitement, often it is so mysterious that it appears to be the result of mere chance. But to recur, if I am XVIII to account for this result, Murena when standing for 37

the praetorship felt very distinctly the want of two recommendations, to both of which he was greatly indebted when standing for the consulship. The first of these was the anticipation of a liberal display in the public games, which had reached a considerable height owing to a report which was prevalent and to the rivalry and emulation among the candidates. The other thing he wanted was this; the soldiers, any of whom could have testified to his generosity and valour when he was second in command in Asia, had not yet left the province. In these two points Fortune held back her favours till he was standing for the consulship. In the first place the army of L. Lueullus, which had attended his triumph, was ready at Rome to support L. Murena; secondly, a magnificent show, the absence of which was felt at his election to the praetorship, was
38 supplied by his action as praetor. Can you say that you think these considerations do nothing to assist a man to obtain the consulship? Is the support of the soldiers nothing? The military voters are not only important numerically, and by reason of their influence with their friends, but besides that their help in canvassing has much weight with the Roman people generally in the selection of a consul; very properly so; for in electing consuls we are choosing military commanders and not legal commentators. So such speeches as these are influential: ‘So
‘ and so tended me when I was wounded; he gave
‘ me prize-money; he was in command when we
‘ captured a camp here and fought a battle there;
‘ he never imposed more on the rank and file than he

‘took upon himself; he was as fortunate as he was
 ‘brave.’ Don’t you consider this sort of thing effective
 in influencing men’s language and feelings? Surely if
 there is such respect for tradition at the consular
 elections that the vote given by the tribe which
 secures precedence has hitherto been always regarded
 as a sign, is it surprising that in Murena’s case the
 widespread report of his good fortune should have won
 the day for him? But even if you depreciate these XIX
 considerations, which are really most weighty, and if
 you rank the support of civilians in canvassing above
 that of the soldiers, do not treat with utter scorn
 the splendour of Murena’s games and the sumptuous
 theatrical show which he provided; because in fact
 they assisted him enormously. Why indeed need I
 refer to the fact that the people, the ignorant masses,
 are greatly fascinated by the games? The fact is not
 surprising: and yet that fascination is sufficient to
 prove my contention; for the people and the masses
 have the elections in their own hands. So, if the
 people are attracted by lavishness in celebrating the
 games, it is no wonder that L. Murena’s lavishness
 recommended him to the people. And if even we 39
 ourselves, notwithstanding the fact that we are always
 occupied by business matters and can find in our own
 occupations many other sources of pleasure, still find
 some special pleasure and attraction in the games, need
 you wonder at the attractiveness they possess for the
 uneducated masses? My friend, the gallant L. Otho, 40
 has restored to the Knights as a class not only a
 position of privilege but also a source of gratification:

and so his law relating to the games is extremely popular, because a most illustrious order has had not only a great distinction but a substantial gratification restored to it. In fact, the games, I assure you, do give pleasure, even to those who pretend not to care, as well as to those who display their delight; and I found this to be true when I was a candidate myself: for I too had to deal with the rivalry of a theatrical show. But if I, who had paid for three sets of games, when I was aedile, was not unaffected by Antonius's display, do you suppose that you, who happened not to have celebrated any games, did not suffer from Murena's silver stage-decorations, which you are now deriding?

41 But let us assume that all these recommendations are equally balanced; let us suppose the legal profession to be as popular as the military; that the canvassing of soldiers is not more influential than that of civilians; that there is no difference between having celebrated very sumptuous games and having celebrated none at all. Even so, in the duties of the praetorship, do you think that there was no inequality between the office which fell to you and that allotted to him?

XX He was fortunate enough to secure, what I and all your friends were hoping would fall to you, the administration of justice [as Praetor of the City]; a position in which the importance of the duty confers distinction, and the dispensation of justice attracts popularity; and an intelligent man like Murena, if he is praetor for this department, while he avoids giving offence by the equitableness of his decisions,

secures general good-will by the politeness of his attention. It is a quite exceptional sphere of duty, and one likely to advance its holder towards the consulship; and in it the credit gained by impartiality, incorruptibility, and courteousness, culminates in the popularity due to the gratification afforded by the games. What were the duties which fell to you? 42
Gloomy and severe. You were president of the court for embezzlement cases; lamentable looks and mourning attire on one hand, gaolers and informers on the other. You have to impress reluctant jurors, and retain them against their will. You convict a public secretary; and the whole class is up in arms against you. You criticise Sulla's grants; and many brave men, almost half Rome, are annoyed. You assess the damages in a case severely; the party you please forgets your award, the party you displease remembers it. Finally, you did not choose to take a province. Personally I cannot blame you for adopting a course which I have sanctioned by my own action as praetor and consul: but I must say that L. Murena's provincial government has won him much sterling gratitude as well as a very considerable reputation. On his way there from Rome he levied troops in Umbria. The authorities gave him the opportunity of being generous at the expense of the state; and by availing himself of this he secured several tribes which have a contingent of voters from the Umbrian boroughs. He himself found other opportunities; and his just and careful administration in Gaul enabled Romans trading there to recover debts which they had supposed hopeless.

You I know spent the time at Rome in serving your friends: but you must remember this, that some friends find it impossible to keep up their enthusiasm for those whom they understand to look with contempt upon provincial governorships.

- XXI And now, having demonstrated, gentlemen, that
43 Murena and Sulpicius, when competing for the consulship, possessed equal claims as regards rank, but had enjoyed very different fortune in their official careers, I will proceed to tell you without reserve in what particular my friend was weaker than his rival; and I will say in your presence, though it is now too late, what I often told him in private, while action was still possible. I very often told you, Servius, that you did not know how to stand for office. Yes, in the midst of the steps which I saw you taking with such zeal and spirit, I frequently told you that I regarded you rather as an energetic member of the senate than as a far-sighted candidate for office. In the first place, those terrible threats to prosecute some one, in which you indulged daily, may testify to your courage, but they lead people to suppose that you have ceased to hope for success, and they damp the enthusiasm of your friends. This is, though I cannot say why, a general law, observed not merely in one or two instances, but in numerous cases; as soon as people think that a candidate is intending to prosecute a rival, he is sup-
44 posed to have thrown up the game. Do I mean then to say that I am not in favour of retaliating for a wrong one has suffered? Nay, I am decidedly in favour of retaliation: but there is a time for standing

for office and a time for retaliating. A man who is standing for office, especially if that office is the consulship, I like to see thoroughly hopeful and in good spirits, and escorted to the forum and to the poll by large crowds of friends. I do not like to see a candidate hunting up evidence with an air which anticipates defeat, taking more trouble to collect witnesses than to find active canvassers, using threats more than flattery, and employing denunciations rather than compliments; especially as it is now the fashion for all the world to crowd into everybody's house, and draw inferences from the demeanour of the candidates as to their spirit and efficiency. 'Don't you see so-and-so 45
'sorrowful and dejected? He is despondent, he is 'down on his luck, he has thrown up the game.' Or a rumour spreads: 'Do you know that so-and-so is intending to prosecute, and hunting up evidence against the other candidates, and making investigations? I shall elect some one else, since our man has no confidence in his own chance.' Even the closest friends are upset and disheartened by a rumour of this sort about a candidate; and they either cease altogether to trouble themselves, or else reserve their energy and influence for the time when the prosecution comes before a court. There is the further consideration XXII
that even the candidate himself cannot devote his whole mind and entire care, his whole energy and attention to his electioneering. He has the additional burden of the prosecution he contemplates; and this is no light matter, but one naturally all-important. For it is a serious thing to be getting up evidence

which may enable you to expel from Rome (especially if he is not without means and ability) some man who can rely on the efforts of himself and his friends and even strangers ; I say strangers, for we all combine to avert dangers, and all who are not avowed enemies are ready to defend and support in the most friendly way even the most complete strangers, when they are
46 threatened with serious charges. So I, having had experience of the comparative difficulties of soliciting an office and defending a client and getting up a prosecution, have come to this conclusion ; that in the first of these tasks the competition is the most pressing thought, in the second the sense of obligation, and in the third the mass of work to be got through. And so I am convinced that it is in no way possible to organise an election prosecution and a canvass with proper care at the same time. Few persons are equal to one of these tasks, none to both at once. Did you, Servius, when you once let yourself be outstripped in the race for office, and transferred your attention to your intended prosecution, did you really think that you could devote yourself satisfactorily to both objects at once ? If so, you were grievously mistaken. Has there been a single day, since you first signified to the world
XXIII your intention to prosecute, which you have not devoted entirely to furthering that foolish object ? You clamoured for a law against bribery, though you had one ready for use : there was the Calpurnian law already in existence, and that is as strict as possible : still your wishes and your eminent position received

proper attention.¹ But every clause of the new law, though it might have furnished you with weapons for dealing with a rival who was guilty of bribery, distinctly damaged your chances as a candidate. You 47 urgently demanded severer penalties against the subordinates in cases of bribery: this caused agitation among the smaller men. You insisted on the punishment of members of our order by exile: the senate submitted to your proposal; but it disliked being forced by your pressure to penalise failure even more severely. To plead illness as an excuse for non-attendance was made penal: that clause alienated many persons, who found themselves obliged to exert themselves to the injury of their health, or else as the consequence of indisposition to lose everything that makes life enjoyable. Well then, who carried these provisions? The promoter of the new law was one who was acting in obedience to the will of the senate and your wishes; and he was moreover one who was not in any way benefited by the new clauses. And the other clauses, which to my extreme satisfaction were struck out by a full house, do you think that they damaged your cause but slightly? You demanded mass-voting, the exhaustive voting of the Manilian law, measures to do away with all distinctions of influence, position, and voting power; men of honour and great influence in their own districts and boroughs, were seriously annoyed that a

¹ Cicero himself had recently, to meet the wishes of Sulpicius and others, introduced the Tullian Law against Bribery, a bill to amend the Calpurnian Law of 67 B.C.

man in your position should have supported a scheme for levelling all gradations of rank and social influence. You also wished that the jurors in such cases should be nominated in the first instance by the prosecution, the result of which would be an outbreak of animosities, now checked and confined to secret jealousies,
48 against the most respectable public men. All these ideas no doubt prepared the way for your prosecution, but they blocked the progress of your candidature.

But the greatest blow which you dealt to your own chances of success, not without a protest from me, was this: and on this subject my most able and eloquent and learned friend, Hortensius, has spoken at length and with great weight, which made my part in the speeches for the defence a more difficult post, since it involved my expressing my sentiments on the whole case, and not merely dealing with a portion of it as the last speaker, Hortensius having preceded me as well as my distinguished and industrious and eloquent friend, M. Crassus. And so I am practically going over the same ground, and yet doing my best, gentlemen, to obviate the possibility of wearying you.

XXIV But to resume: don't you see, Servius, that you inflicted a crushing blow on your chances when you forced the Roman people to contemplate the alarming possibility of the election of Catilina to the consulship, while you, after entirely dropping and abandoning your candidature, were collecting materials for a bribery
49 prosecution? For every one saw your investigations, your personal dejection, your friends' distress; they marked you taking notes about your rivals, collecting

depositions, button-holing possible witnesses, and conferring with junior counsel, all of which proceedings usually indicate that the candidate's prospects are looking blacker. They saw Catilina all the while alert and cheerful, escorted by a dense bodyguard of young men, entrenched behind informers and assassins, buoyed up by his expectation of the support of the soldiers as well as by the promises of my colleague, of which he made no secret, parading the streets with a regular army of settlers from Arretium and Faesulae, a heterogeneous mob which was made more miscellaneous by a contingent of the men ruined by Sulla's reign of terror. His countenance was full of passion, his looks of guilt, his speech of presumption, to such an extent that one would have thought that he had secured the consulship, and had it already, so to speak, in his pocket. He looked with contempt on Murena; he thought Sulpicius might be dangerous as a prosecutor but not as a rival; so he threatened him with violence and the state with destruction. Do not leave me to XXV remind you what alarm was felt at this conjuncture by 50 every honest man, and what a panic seized all Rome at the idea that Catilina would be elected: you can recollect it for yourselves. You remember, I say, the time when the phrases of that murderous villain had been widely circulated, the expressions he was said to have addressed to a meeting of conspirators at his own house, to the effect that it was impossible to find a trusty champion of the cause of affliction except in one who was himself afflicted: that men wounded and afflicted ought not to credit the promises of the sound and

prosperous members of society : therefore let all who wished to refill their purses and recover their losses, look at him, and consider his debts, his possessions, and his daring ; free from fear and absolutely ruined ought to be the man, who was to raise the standard of
51 anarchy and lead the ruined to victory. At that crisis, therefore, when this language was reported to us, you remember that the senate resolved on my motion¹ that the election should not be held on the following day, so that a discussion on this matter might be raised in the senate. Accordingly on the next day in a very full house I challenged Catilina to get up and give any explanation he chose of the speeches which had been reported to me. Catilina, with his usual shameless candour, offered no excuse, but on the contrary exposed and involved himself : he rose and said that there were two parties in the state, the one a feeble body with a weak head, the other strong but headless ; but the latter party, if it treated him well, should be provided with a head if he survived. He was received with groans by a crowded house ; but the resolution passed was not as severe as the atrocity of the insult demanded. The senators were not as determined as they should have been, partly because they were not much alarmed, and partly because they really were nervous. Then he dashed out of the house in a state of frantic delight, when he should never have been allowed to leave the place alive ; especially as he had also in the same honourable assembly a few days previously answered my gallant friend, Cato, who was threatening him with judicial

¹ On October 20th.

proceedings, with the remark that if any one tried to excite a conflagration in his affairs, he would extinguish the fire not by water but by general demolition. Alarmed by these events and knowing that at that very XXVI moment the conspirators sword in hand were being led 52 down to the polling place by Catilina, I went down with my trusty escort of gallant men and wearing that massive cuirass conspicuously, not to protect my person,—I knew of course that Catilina did not strike at the side or stomach but at the head and neck,—but to make all honest men notice, and, seeing the consul in alarm and peril, flock together to support and protect him, as they actually did. Therefore, Servius, when people thought you had relaxed your efforts, while they saw Catilina in a fever of anticipation and greed, all those who were anxious to save Rome from his clutches, threw their weight on the side of Murena. Now at the election to the consul- 53 ship a sudden change of feeling is of great importance, especially when it gives additional strength to an honest man who has already many other conspicuous qualifications as a candidate; and, when he is a man whose father and ancestors generally were of honourable rank, whose conduct as a young man was most blameless, whose military service was most distinguished, who as praetor was satisfactory in his administration of the law, popular from his celebration of the games, and brilliant in his provincial government, who had conducted his candidature with care, and with such care as neither to browbeat any one nor to submit to be browbeaten, is it surprising that such

a man was greatly assisted by Catilina's sudden anticipation that he would secure the consulship?

54 I have now reached the third and last of the three divisions of my speech, namely the actual charges of corrupt practices: this topic has already been clearly dealt with by the counsel who have preceded me, but since it is Murena's desire, I will go over the ground again myself. And under this head I will reply to my brilliant friend, C. Postumus, on the subject of the information given by bribery agents and the sums of money which were seized; I will answer that excellent and able young man, Ser. Sulpicius, on the classes of equestrian voters; and my friend M. Cato, whose virtue is conspicuous in every branch of conduct, as to the charges he himself makes, as to the measures passed XXVII by the senate, and as to the political situation. But

55 first, I will say a few words of sympathy, which have suddenly suggested themselves to me, as to the unfortunate position of L. Murena. I have often before now, gentlemen, in reviewing the misfortunes of others and my own daily toils and cares, judged those men fortunate indeed, who, far from the pursuits of ambition, have devoted their lives to leisure and tranquillity; and now especially when I see L. Murena in perils so serious and unexpected, I am so distressed that I cannot sufficiently express my compassion for the general fate of public men or for the particular calamity which has befallen him. For in the first place, while trying to rise another step in his honourable career, a single step above the continuous official distinctions of his family and ancestors, he has incurred the risk of losing

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at one stroke both his inherited honours and those which he has himself acquired ; secondly, his anxiety to secure a new title to fame has endangered his ancient position of prosperity. All this is hard, gentlemen, 56 but most painful of all is the fact that he is not prosecuted by persons whom private enmity has impelled to prosecute, but by persons whose anxiety to prosecute has made them stoop to personal enmity. To say nothing of Servius Sulpicius, who I am convinced has not been instigated by any injury received from L. Murena, but by their competition for office, one of the prosecutors is a friend of his father, C. Postumus, an old neighbour and friend, as he admits, of Murena himself ; who though he produced many reasons for their intimacy, could not give any for this outburst of enmity between them : another is the younger Ser. Sulpicius, whose father is a member of the same guild as Murena, and whose father's friends ought all to be supported rather than injured by the son's ability : a third is M. Cato, who has never disagreed with Murena in any matter, whose birth and position as a Roman citizen should make his resources and ability a protection to many strangers even, and destructive to hardly a single personal enemy. I will 57 therefore reply first to Postumus, who somehow or other, though only a candidate for the praetorship, seems to me in his assault on a consul like a circus-horse competing in the four-horse-chariot race. In his case, if his rivals did nothing wrong, his retirement from the contest showed a sense of their superiority ; if on the other hand any of them spent money on the

contest, Postumus must be a very desirable friend, to be following up an injury to a friend before resenting one received by himself.

Answer¹ to the charges made by Postumus.

Answer to the charges made by the young Servius.

XXVIII I come now to M. Cato, that is, to the real main-
 58 stay and support of the whole of this prosecution ; but though I allow that he is most severe and strenuous, still it is rather his indirect influence than his direct accusations which alarm me. In dealing then with this supporter of the prosecution, I must begin, gentlemen, by entreating you not to let L. Murena be prejudiced by Cato's high position, by his approaching tribunate, or by the brilliance and high moral tone of his whole life ; in short, not to allow the good qualities of M. Cato, which he has cultivated with the object of benefiting many persons, prove detrimental to my client alone. P. Africanus had been twice consul, and had swept away the two great obstacles which stopped the march of the Roman empire, Carthage and Numantia, when he prosecuted L. Cotta. He possessed the most remarkable oratorical force, honour, uprightness, and an influence as strong as the whole authority of the government of the Roman people, which was upheld by his exertions. I have often heard my elders say that this overwhelming strength on the part of the prosecutor greatly assisted L. Cotta. The very sensible jury which tried that case did not like to see any one convicted under such circumstances

¹ Omitted by Cicero in editing the speech for publication ; cf. Plin. *Épp.* i. xx. 7.

as might lead to the supposition that he had been sacrificed to the overpowering strength of his opponent. Take the case of *Ser. Galba*, the facts of which are 59 known by tradition; is it not true that when your great-grandfather, the gallant and successful *M. Cato*, was straining every nerve to ruin him he was rescued by the Roman people? Indeed at Rome the possession by a prosecutor of resources too superior has always been disliked and resisted both by the people generally and by intelligent and far-sighted jurymen. I do not like to see a prosecutor bringing any sort of ascendancy to bear on a court, any superior strength, any exceptional influence, any excessive popularity. All these advantages may be employed to save the innocent, to strengthen the powerless, to succour the ruined; but when they are used to bring danger and destruction on other citizens, they should not be tolerated. For if any one happens to suggest that 60 *Cato* would not have condescended to prosecute, unless he had arrived at a decision on the merits of the case, he will be laying down a most unfair principle and establishing a precedent fraught with misery for men in dangerous positions, if he maintains that the private opinion of the prosecutor ought to have the same value as the decision of a preliminary investigation to the prejudice of the person accused.

Personally I cannot censure your principles, *Cato*, on account of the extraordinary opinion which I entertain of your moral worth; but I may be able perhaps to touch them up in some points and to effect some slight improvements. 'You err not much,' as

the aged mentor says to the gallant hero,¹ 'but you do err; and I can guide you straight.' Not that this is my tone towards you; I might most truthfully say that you never err, and that your character never appears to require correction rather than gentle admonition. For nature herself has adjusted your disposition to the requirements of honourable, serious, temperate, high-minded, just, and generally virtuous conduct, and so produced in you a great and noble man. But to these natural gifts has been added the practice of a philosophy which is not judicious or gentle, but as it seems to me, rather too rough and hard to adapt itself
61 to the realities of human nature. And since I have not on the present occasion to address my arguments to an ignorant mob or to a rustic council, I will discuss with rather more freedom the principles of cultivated men, which are known and valued by you and me alike. Now in M. Cato, gentlemen, the excellent and superhuman qualities which we behold are the attributes of his own character; that there are some good qualities for which we look in vain, is the fault of his moral teachers and not of his own nature. There was a certain extremely able man, named Zeno, the adherents of whose theories are called Stoics. Zeno's dogmatic positions are to the following effect. The ideally wise man is never affected by influence and never pardons any one's fault: no one is forgiving but the foolish and weak: no true man allows himself to be dissuaded or pacified: the wise alone are handsome, even if quite deformed; rich, even if in the

¹ Phoenix to Achilles in some drama adapted from the *Iliad*.

utmost need ; and kings, even if in a servile position. We others, who are not wise men, are runaway slaves, exiles, enemies, and in short, lunatics. All transgressions are equally heinous ; every misdeed is an abominable crime ; and a man who has killed a barn-door fowl unnecessarily has committed as great a fault as a man who has strangled his father. The wise man never merely supposes anything, is never sorry for anything, is never misled in anything, never changes his mind. These ideas the brilliant intellect of M. XXX Cato has adopted on the authority of the most learned 62 masters ; and not merely as theoretical positions, like the majority of the pupils, but as practical rules of life. The tax-farmers are urging a suit : beware of allowing influence to have any weight. Some distressed and ruined people come with a petition : you will be an atrocious criminal if you do anything from motives of compassion. Some one confesses that he has sinned and asks pardon for his misdeed : it is an atrocious crime to grant pardon. But the fault is a light one : all sins are equally heinous. You have made some statement : then it is decided once for all. You were not guided by facts but by suppositions : the wise man never supposes. You went wrong in some matter : he thinks you are libelling him. To this system we owe such results as the following : ‘ I said in the senate that I would impeach one of the candidates for the consulship.’ ‘ Well, you were angry when you said it.’ ‘ No, the wise man is never angry,’ says the Stoic. ‘ Then you said it to meet a situation.’ ‘ Only a bad man,’ says he, ‘ employs falsehood as a

means to an end ; to change one's mind is disgraceful ; to be dissuaded is a crime, to show pity is a sin.'

63 Our masters, on the other hand—for I admit, Cato, that I also when I was a young man distrusted my own ability and sought the assistance of philosophy,—my masters, I say, of the schools of Plato and Aristotle, men of moderate and sound views, say that the ideally wise man is at times affected by influence ; that the good man may show pity ; that it is possible to distinguish between misdeeds, and that punishment admits of degrees ; that a consistent man finds occasions for exercising forgiveness ; that even the wise man himself often supposes something that he does not know for certain ; that he is occasionally angry ; that he may even be dissuaded and appeased ; that he sometimes alters a statement he has made, if greater correctness is gained thereby ; that he sometimes recedes from an opinion ; that all virtues are defined by holding a mean position between two ex-

XXXI tremes. If any accident had led you, Cato, to the feet

64 of these teachers, with your natural predispositions, you certainly would not be a better or a braver or a more self-restrained or a more upright man,—that would be impossible,—but you would be a little more inclined to show compassion. You would not prosecute from no motive of personal hostility and without any provocation received, a man of the most modest character, a man of the most distinguished position and of the highest honour. You would feel that as you and Murena have happened to be chosen to fill positions of responsibility in the same year, you were

bound to him by a well-defined political tie ; and so either you would have altogether disregarded the harsh statement you made in the senate, or you would now be modifying its severity. Yes, even you, as far as I 65 can predict the future, though you are at the present moment carried away by your impetuosity, and excited by the vehemence of your strong nature and your fine abilities, and burning with zeal to exemplify the training you have just completed, you yourself will presently be altered by experience, softened by the lapse of time, and made milder by advancing years. The fact is that your teachers and instructors in morality seem to me to have placed the goal of moral duty at a height rather above the point intended by nature, with the idea that, if we set our aspirations on the highest summit, we might at any rate reach a satisfactory level of performance. 'Never forgive anything.' That is, forgive some things but not everything. 'Never yield to influence under any circumstances.' That is, persevere as long as duty and honour require you to resist. 'Never be moved by pity.' Quite so ; do not relax the strictness of your principles ; but remember that some merit is allowed to sympathetic conduct. 'Abide by your opinion.' Of course, unless that 66 opinion is defeated by a sounder one. Such were the views of the great Scipio, who did not repent of taking the same step which you have taken, I mean, of having the learned Panætius to reside in his house. And yet Panætius's lectures and moral rules, though they were identical with those which please you, did not make Scipio more severe, but on the contrary, as I have heard

from my elders, most considerate. Who again was ever more polite than C. Lælius? Was there ever a more agreeable, or a more serious and intellectual person, though he too was a Stoic? I can say the same of L. Philus and of C. Gallus; but I will refer you at once to your own family. Do you think that there was ever a better example than your great-grandfather Cato of good-nature, sociability, and moderation in every relation of social life? On an occasion when you were speaking with great force and truth of his surpassing merits, you said that you had a pattern for imitation in your own family. You certainly have that pattern set before you specially; but I must say that, though similarity of temperament is more likely to be attained by you as his descendant than by any of us, still for imitation the pattern of his life is open as freely to me as it is to you; and if you give your severe and rigid views a dash of his politeness and accessibility, I do not say that your principles will be improved, as they are already excellent, but they will certainly acquire a more agreeable flavour.

XXXII Accordingly, to return to my original contention, I
67 want the name of Cato altogether banished from the case; I want all personal influence, which in courts of law ought to have no weight at all, or, if it has any, ought to assist the accused person, absolutely disregarded. Join issue with me simply on the charges themselves. What are you attacking, Cato? What are you bringing before the notice of the court? What are you arraigning? You are attacking the act of bribery. I am not defending it. You are blaming

me for defending a practice, which I have made a legal offence. What I made a legal offence, was bribery, and not innocent conduct; the practice of bribery I will even join you in attacking, if you like. You stated that the senate resolved on my motion as follows: that if persons were paid to go to meet candidates, if persons were hired to form an escort for them, if places were assigned at the gladiatorial shows to whole tribes and similarly if banquets were given to the whole populace, such acts should be taken to be violations of the Calpurnian Law. The conclusion is, that if the decision of the senate is this, viz., that these acts should be taken to be violations of the law, supposing them to take place, then the senate is making a wholly unnecessary decree, in its anxiety to humour some of the candidates: for whether the practice occurred or not is the exact question which is being hotly disputed: if it did occur, there can be no doubt of its illegality. It is therefore absurd to leave undecided just that 68 point which is doubtful; and to pronounce a decision on the question on which no one can feel any doubt. Furthermore the decree itself is made at the proposal of all the candidates; so that the mere resolution of the senate does not explain who is affected favourably by it or against whom it is directed. Prove then that L. Murena has actually committed these acts; and then I too will admit that the commission of them was illegal.

‘Many persons went out to meet Murena when he XXXIII was returning from his province.’ But is there any one who is not met in this way? ‘What was the meaning

of that huge crowd?' Well, in the first place; if I cannot give you any special reason for it, need it cause astonishment that when a distinguished man, a candidate for the consulship, was arriving, he was met by a large number of persons? It would be more surprising, if that had not occurred. Yes, and even if I add the fact that, as is not at all unusual, many persons were asked to go, is such a request criminal? Or is it surprising, that when it is customary in this state for men of our own rank to be asked to go almost over night to attend the sons of quite insignificant persons to the Forum often from the farthest parts of the city, people should not have objected to going as far as the Campus Martius at the third hour of the morning, especially when requested in the name of so distinguished a man? Indeed, if he was met by all the public companies, to which many of the jurors trying this case belong, what then? what if many of the most eminent members of our own order went? what if the most obsequious class of all, the people who never allow any one to enter Rome without paying their respects to him, I mean the whole tribe of candidates for office? and if one of the counsel for the prosecution, our friend Postumus, went to welcome Murena with quite a large number of supporters, is there anything to cause astonishment in 'that huge crowd'? I say nothing of his clients, neighbours, and fellow-tribesmen, or of the whole army of Lucullus, which had arrived about that time to attend the triumph: I merely assert this, that the voluntary service of giving a man an imposing reception has

never failed to be rendered to any man who deserved it, nor even to any one who desired it.

‘But he was escorted by a large number of persons.’ 70
 Show that these were paid; and then I will admit that a charge may lie. But if there is no proof of hiring, what is the point of your objection? ‘Why,’ XXXIV
 says he, ‘what need is there for an escort at all?’ Do you really ask me what need there is for a practice of which both of us have always availed ourselves? The only opportunity of earning or repaying a favour from our class which men of small means have in their power, is this slight attention of forming an escort for us when we are standing for office. It is a sheer impossibility, and a thing not to be required from senators like us or from the Roman knights, that they should spend whole days in escorting their friends. If such people frequent our houses, if they sometimes attend us in procession to the Forum, if they honour us with a single turn in a colonnade, we consider that we are receiving all due courtesy and attention from them. But poorer and less occupied men undertake these continuous exertions; and worthy and generous men always have plenty of such friends. Do not then 71
 attempt, Cato, to rob that humbler class of the return which they ^{give} ~~derive~~ ^{for} from their services; allow men, who expect everything from us, to have something themselves which they can bestow upon us. If it is to be nothing but their own vote, it is not worth much; as to canvassing, their influence is valueless; in short, as they usually say, they cannot speak for us, become security for us, or invite us to their houses. Yet all

these services they solicit from us, while they feel that this form of attention is the only equivalent they have to offer us for what they receive. So they have disregarded the Fabian Law, and the resolution adopted by the senate in the consulship of L. Cæsar: for there is no penalty which can deter our poorer and more attentive friends from rendering us this usual and long-established service.

72 'But shows were given to whole tribes, and the populace was invited to a banquet.' Now although these things were not done at all by Murena, gentlemen of the jury, and by his friends only as is permitted by ordinary usage, still the remark reminds me how many votes were withdrawn, Servius, from our side, by the complaints on these points made in the senate. Surely there was never any period within our own memory or that of our fathers when this proceeding of bestowing places either in the amphitheatre or the forum on our friends and fellow-tribesmen, whether you call it corruption or generosity, did not occur.

XXXV [And if they think it criminal]¹ that a mere officer of
73 engineers should have given up his place to his fellow-tribesmen on one occasion, what will they do to men of high standing, who have hired whole blocks of seats in the amphitheatre to accommodate their tribes? All these charges about being escorted, providing shows, and giving banquets, were attributed by the masses to your excessive activity, Servius: yet all these charges Murena can meet by preference to the senate's resolution. For instance, does the senate consider it criminal

¹ Some words appear to be lost at this point.

to go out to meet a candidate? 'No, not unless it is for pay?' Prove that point then. Is it criminal that a number of persons should escort a candidate? 'No, not unless they were hired.' Demonstrate that. Is it a crime to bestow places for seeing the shows or to issue invitations to a banquet? 'Certainly not, unless the invitations were to the populace.' What do you mean by the populace? 'The whole people of Rome.' So if my noble young friend, L. Natta, whose present ability and future promise we all observe, was anxious to establish his popularity in the voting classes of the knights as well for the sake of serving a relation as with an eye to the future, his action ought not to be made to prejudice his stepfather either secretly or openly; nor yet, if a vestal virgin, very closely related to Murena, put at his disposal her place at the gladiatorial shows, is there any reason to say that she did not act with propriety or that any blame attaches to Murena. All these transactions are simply the services which are performed by friends, assistance rendered by poorer men, and exhibitions of generosity which are expected from the candidates.

But Cato addresses me, you see, with Stoic austerity. 74 He says that it is untrue that the good-will of the electors is secured by feeding them: he maintains that the deliberate judgment of human beings in appointing their magistrates ought not to be demoralised by motives of pleasure. Consequently, if any one invites people to dinner to promote his candidature, he is to be condemned! 'It is possible,' says he, 'that you 'are to solicit the highest official power, the highest

‘ position of responsibility, the very helm of government,
 ‘ by the process of pampering men’s senses and enervat-
 ‘ ing their principles and providing them with pleasur-
 ‘ able sensations? Were you standing for the post of
 ‘ pandar to a set of young libertines, or desiring the
 ‘ task of governing the world as the officer of the Roman
 ‘ people!’ An awful appeal! but the terms of it are
 rejected as absurd by experience, ordinary life, custom,
 and the national habits. Neither the Lacedemonians,
 who originated these modes of living and talking, who
 recline on hard wooden benches at their daily public
 meals, nor the Cretans, who never eat in a reclining
 posture at all, have preserved their national institutions
 better than the good men of Rome, who take their
 pleasure and their work at different times: for the
 Cretan state was demolished by a single visit from our
 army, and the Lacedemonians retain their laws and
 system of education only under the protection of our

XXXVI rule. Do not be so ready, then, Cato, to censure in
 75 too severe terms traditional practices, which are justi-
 fied by their own propriety as well as by the prolonged
 existence of our empire. In the last generation there
 flourished a learned and honourable and well-born
 disciple of your school of thought, Q. Tubero. When
 Q. Maximus was giving a funeral feast to the people
 of Rome in honour of his late uncle, P. Africanus, he
 asked Tubero to undertake the expense of one of the
 tables, Africanus being his mother’s brother. And
 Tubero, as a man of great learning and a Stoic to boot,
 provided wooden benches in the Punic style covered
 with common goat-skins, and laid out the table with

Samian earthenware, as if Diogenes the Cynic had died and his funeral was being celebrated instead of that of the divine Africanus,—Africanus's, I say, for whose life Maximus in the funeral oration gave thanks to the gods, that he had been born a Roman; for the empire of the world must inevitably have fallen to the land in which he lived. This absurd exhibition of Tubero's philosophical principles at his distinguished uncle's funeral greatly displeased the Roman people; and so 76 that most virtuous man and admirable citizen, though he was grandson of L. Paulus, and nephew, as I have said, of P. Africanus, was kept out of the praetorship by those shabby goat-skins. The Roman people hates private extravagance, but it loves magnificence on public occasions: it does not like ostentatious banquets, but it likes shabbiness and want of taste even less. It makes distinctions between various classes of obligations and occasions, between the time for work and the time for enjoyment. Again, as to your statement that no inducement ought to influence men in the appointment of a magistrate except the qualifications of the candidates, you yourself, whose qualifications are of course supreme, do not observe your own principle. Why indeed do you ask any one for his support or assistance? Do you, sir, ask me to let you govern me, to intrust my precious self to your care? What do you say? Ought I really to be asked by you? Ought not you rather to be asked by me to submit to 77 exertion and danger for my protection? Again, what about your employment of a prompter to tell you the electors' names? That practice is really a deception

and a fraud. If it is morally right that you should address your fellow-citizens by their names, then it is morally wrong that they should be better known to your servant than to yourself; or if, even when you know them, still you have to address them after an appeal to a prompter, why do you ask him for the name as if you were not certain of it? Again, what of the fact that, when you are being prompted, you nevertheless address them as if you knew their names yourself? And why, as soon as you have been designated consul, do you take so much less trouble in greeting people? All these practices judged by the rules of political morality are quite correct; but if you test them by your philosophical standards, they will be found to be thoroughly dishonest. Accordingly the Commons of Rome must not be robbed of the gratification which they derive from games, gladiatorial shows, and banquets, since in all this our ancestors did not see anything wrong; nor must the candidates be deprived of that wish to be generous in these matters, which is an indication of generosity rather than of corrupt motives.

XXXVII But you urge that the interests of the country have
78 forced you to prosecute. I can well believe, Cato, that you came here with that determination and with that conviction: but your mistake is want of reflection. In the course I am taking, gentlemen, I am acting not only out of regard for my friend L. Murena and his eminent position, but also, I vow and protest, in the interests of the peace, quiet, harmony, liberty, safety, and, in fact, preservation of all of us. Listen, listen,

gentlemen, to a consul, who—not to speak presumptuously, but the simple truth—is pondering day and night over the affairs of this state. Not with such utter scorn did L. Catilina condemn the government of Rome, as to think that he would crush our liberties with those forces only at the head of which he left the city! The contagion of his criminal project extends further than any one thinks; and many more than you suppose are infected. Within these walls, within, I say, there is a second Horse of Troy; but never, while I am consul, shall it destroy the sleeping city. You ask me for what I fear Catilina. I fear him 79 not, and I took measures to prevent any one else fearing him. But I do say that there is reason to fear those followers of his whom I see before me. Nor have we to fear now so much L. Catilina's forces as those villains who are reported to have deserted from his army. Not that they have really deserted; no, they have been left here by him to spy and plot, to threaten our lives and drink our blood at last. These are the men who desire that you by your verdict to-day should dislodge from his post of guarding the city and protecting the constitution one who will be a blameless consul, who is an excellent general, and who is fitted by temperament and position to be the champion of order. Their bold and bloodthirsty attacks I have foiled at the polling place, baffled in the forum, and often defeated even at my own house, gentlemen; but if you choose to deliver up one of the two consuls to their mercy, your verdict will have given them more than their own swords ever won. It is of supreme import-

ance that the result which I achieved in the teeth of opposition should not be invalidated, and that there should be two consuls in office on the first of January.

80 Do not imagine that their schemes are moderate, or that their methods are ordinary or that . . . Their design is more serious than an objectionable law, a ruinous distribution of public funds, or any mischievous scheme of which we have ever heard before. No, gentlemen, a conspiracy has been formed in Rome to sack the city, massacre the citizens, and destroy the name of Roman: such are the schemes which citizens of Rome, citizens, I say, if one may call them by that name, are devising and have devised for the ruin of their own country. Their plans I am counteracting day by day, I am impeding their violence and thwarting their crimes. But, gentlemen of the jury, I warn you: my consulship is about to expire. Do not rob me of the successor who will carry on my labours; do not snatch away the friend, to whom I wish to commit my precious trust inviolate, for further protection against these manifold perils.

XXXVIII And besides these evils, gentlemen, do you not see

81 another hanging over us? I appeal to you, Cato, to you. Is it possible you do not see the storm-cloud which is threatening your year? Already at a meeting held only yesterday was heard before the storm the boding voice of a tribune-elect,¹ one of your colleagues; to baffle whom much thought has been taken by your foreseeing mind, and much by all the good citizens, who called upon you to stand for the office of tribune. All

¹ Q. Metellus Nepos. See Cat. iv. 10.

the schemes that have ever been started for these three years past, from the moment when, as you all know, L. Catilina and Cn. Piso laid a plot to massacre the senate, are ready to burst in a deluge in these few days, these very months, this critical moment of our history. Is there any place or time, gentlemen, any 82 day or night, in which I am not occupied in escaping and evading the secret plots, the murderous daggers, of these wicked men, not simply by my own watchfulness, but much more by the protection of heaven? Nor do these men wish me to be assassinated for personal reasons, but they want to remove a vigilant consul from his guard over the state; nor would they be less anxious to remove you also, Cato, by any means, if they could, and indeed they are, believe me, actually working towards that end. They see the courage, the ability, the influence, the zeal for the safety of the state, which mark your character; but they think that they will find it easier to crush you disarmed and weakened, when they have seen the tribune's power deprived of the authority and support which the consul can give. They are not afraid of another consul being elected to fill the vacancy; they see that your colleagues will have the legal right to prevent that; and they expect that they will find my distinguished friend, Silanus, an easy prey to them without his colleague, you without the help of a consul, and in fact Rome herself without a protector. In these serious possibilities and in these serious 83 dangers it is your duty, M. Cato, as a man whose life has been in my opinion intended not for yourself

but for Rome, to consider what is taking place, to retain in Rome to assist and protect and second you in your policy, a consul who is not self-seeking, a consul who is, what this crisis specially needs, qualified by his position to promote peace, by his military knowledge to conduct a war, and by his general character and experience to carry through whatever piece of work is required of him.

XXXIX However, the full authority to decide this question is vested, gentlemen, in you; in this case you control, you guide the destinies of Rome. If L. Catilina and the gang of infamous villains, who followed him from the city, could act as judge and jury in this matter, they would pronounce L. Murena guilty; if they could put him to death, they would kill him. Catilina's calculations demand that the government should be bereft of all support, that the supply of generals able to check his fury should be reduced, that the tribunes of the people should have greater facilities given them, by the ejection of their staunch opponent, for promoting riot and anarchy. Is it possible then that men of the highest honour and wisdom, men selected from the privileged classes, will give the same decision as that most impudent bully, that bitter foe of Rome, 84 would give? Believe me, gentlemen, your verdict in this case will decide not only the fate of L. Murena, but your own. We have come to the brink of destruction; there is nothing by which we can support ourselves; there is no fresh foothold, if we fall. We must not only avoid impairing what defences we still have, but even procure new safeguards, if it be possible.

Our foe is not now menacing us from a camp on the Anio, as in what was thought the most serious crisis of the Punic war, but in the city, in the forum,—merciful heavens! I cannot speak unmoved,—even in the innermost shrine of government, in the senate-house itself, I say, our foes are to be found. May the gods vouchsafe that my gallant colleague¹ may crush Catilina's murderous gang with his army, and that I at Rome, without recourse to arms, but with the help of you and all honest men, may by wise measures dispel and render abortive the dangers with which the present political situation teems! But what will be the end, 85 if these perils elude our efforts to arrest them, and are prolonged into the year which is now approaching? There will be only one consul; and he will be engaged not in conducting the war, but in procuring a new colleague. Of persons likely to thwart him at once, that savage and shameless pest of his country will break out, wherever he can, and even now is threatening an assault. In a moment he will swoop down on the suburban districts: then passion will be rampant on the Rostra, panic will dominate the Senate-house, sedition will reign in the Forum, an army will occupy the Campus, and desolation will pervade the land. Wherever men live and meet we shall dread the devastation of fire and sword, even now advancing upon us. But all these perils, if Rome is fully provided in time with her natural means of defence, will easily be dispersed by the

¹ The other consul, C. Antonius Hybrida, who was in fact distrusted by Cicero. See also Cat. iii. 14, Phil. ii. 98.

policy of the magistrates with the co-operation of private citizens.

- XL At this crisis, gentlemen, first of all for the sake of
86 our country, the love of which should be the strongest motive that any man feels, by the great and indisputable solicitude which I have shown for that country, I warn you: with all the authority of a consul, I urge you: by the vastness of the danger, I adjure you, to do your best to preserve peace and quiet, the lives of yourselves and the lives of your fellow-citizens. In the second place I as urgently beg and implore you, gentlemen, out of the fulness of my duty as Murena's advocate and friend, not to condemn a man who is overcome with grief and with bodily as well as mental anguish, not to drown for L. Murena the note of congratulation in unexpected sounds of woe. A few days since when he was the distinguished recipient of the greatest honour the Roman people can bestow, men thought him fortunate indeed, because he had been the first to bring the consulship into his ancient family and into his venerable borough. Now he is suddenly plunged into mourning and misery, now he is decked only with the sombre garb of woe; and he throws himself on your mercy, gentlemen of the jury, he appeals to your honour, he beseeches your pity, he fixes his imploring gaze on your legal authority and
87 your influence. Do not choose, gentlemen, I beseech you in the sight of heaven, to rob my client, by depriving him of this place of honour, which he thought would advance his honourable career, of all the honourable distinctions that he has hitherto gained, of all

that he is and all that he has. And L. Murena's appeal to your mercy, gentlemen, is no more than this : he begs that, if, as is the fact, he has never injured any one, if he has never corrupted any one's mind or morals, if he has never been even (to use the most colourless term) disliked by any one in any civil or military capacity, he may find in you men who look with favour on unassuming conduct, who protect the downcast, and who assist the modest. A man deprived of the consulship, gentlemen, ought to have many claims to your compassion ; for with the consulship he loses everything. Nor in times like these can the consulship be really the mark of envy, for it is exposed to the attack of seditious conspiracies and of traitorous plots ; it is the mark of Catilina's daggers : yes, the consul must encounter alone every kind of peril and every kind of envious passion. So why people should envy 88 Murena or indeed any of us for the proud distinction of the consulship, I confess, gentlemen, I do not understand. But the circumstances which establish a claim to compassion are ever before my eyes, and you can see them clearly for yourselves.

But if—which disaster may heaven avert—your verdict dashes my client's hopes to the ground, whither will the wretched man betake himself? Will he turn to his own home, to see his illustrious father's effigy, a few days ago crowned with fresh laurels to celebrate his success, now reflecting his disgrace and misery? Or to his mother, who, poor lady, gave her last kiss to a son newly elected consul, and who is now tortured with anxiety and fear lest she should see him soon

89 deprived of every honour that he now enjoys? But why do I speak of the mother or the home of a man, whom, if convicted, the new provisions of the law to punish bribery will condemn to lose both home and parent and to be deprived of the sight and society of all his friends? And whither will the exiled man, as he will be then, betake himself? To the East, where he was many years second in command, where he led armies and won great successes? No, it is painful indeed to return disgraced to a place you once left with well-earned fame. Or will he hide his shame in the opposite quarter of the earth, and let the province of Transalpine Gaul recognise in a sad and mournful exile the man it once delighted to see in the possession of the highest authority? And if he retires thither, how will he bear to meet there his brother, C. Murena? Imagine my client's grief! imagine his brother's anguish! imagine the lamentations of both the brothers! Reflect how completely his social rank and reputation will be destroyed, when at the very place where a few days before messengers and letters had published the joyful news that Murena was elected consul, and from which his family-friends and personal associates had flocked to Rome to congratulate him on his success, at that very same place he suddenly ap-
90 pears with the news of his own ruin! If such anticipations are full of misery and bitterness and calamity, if they are such as your merciful and compassionate natures utterly abhor, then, gentlemen, confirm to my client the honour which the Roman people have conferred on him; restore to Rome her second consul;

concede thus much to Murena's modest character, concede it to the memory of his dead father, concede it to his family and his kin, concede it to the prayers of the honourable borough of Lanuvium, whose representatives you have seen filling the court and following the progress of this case with tears. Do not allow yourselves to violently deprive the ancient local worship of Juno the Protectress, to whom all the consuls are bound to sacrifice, of the service of a consul who is specially her own by birth. And thus I to you, gentlemen, if my testimony to his claims or approval of his character has weight or any influence with you, I commend to your favour, in my capacity as consul, one for whom I can vouch and of whom I can aver that he, in his capacity as consul, will be most anxious for peace, most zealous for order, most strenuous against treason, most brave in war, and most staunch in resistance to this traitorous conspiracy, which is even now undermining the foundations of our ancient constitution.

THE SPEECH OF M. TULLIUS CICERO
IN DEFENCE OF T. ANNIUS MILO

I **A**LTHOUGH I feel some apprehension, gentle-
1 **A**men of the jury, that it may be discreditable to
me, at the commencement of a speech in defence of a
man of the bravest character, to show signs of fear, and
most unbecoming, when my client T. Anniius feels more
anxiety for his country's safety than for his own, not to
be able to bring to his case equal loftiness of spirit,
yet I must confess that I am alarmed by the unprece-
dented appearance of this unprecedented form of trial,
and wherever I turn my eyes, they look in vain for the
ordinary arrangements of the forum and the established
usages of our judicial system. No! the audience
which gathers round your benches to-day is not the
usual ring of citizens; it is no ordinary crowd which
2 has hemmed us in. Those guards which you see on
the steps of all the temples, although they have been
posted there to prevent violence, cannot but produce
an embarrassing effect, so that even in the Forum and
before a jury, surrounded as we are by a guard which
is serviceable and indeed necessary, we cannot dis-
miss our apprehensiveness without a certain amount of
apprehension. And if I thought that those guards
were stationed there to prejudice Milo, I should sub-

mit to circumstances, gentlemen ; I should feel that oratory would be out of place among men armed for violence. But my confidence is restored by the policy which has commended itself to the wisdom and justice of Cn. Pompeius ; since he would surely think it inconsistent with his justice to surrender to the swords of the soldiers a man whose fate he had left to be decided by the verdict of a jury, and inconsistent with his wisdom to arm the rash hands of an excited mob with the authority of the state. Therefore those armed men, 3 those captains and companies, are an assurance of protection, not a menace of peril, to my client, and they encourage us to be stout-hearted as well as composed ; yes, they guarantee my efforts for my client a favourable and even an uninterrupted hearing. The rest of the concourse,—all the citizens in it at least,—is wholly with us ; nor yet is there a man among those, whose faces you see at every point from which a glimpse of the forum can be obtained, watching eagerly for the result of this trial, who does not, in supporting the brave Milo, feel that on to-day's decision rests the fate of himself, his children, his country, and his whole fortunes. One class alone is hostile to us ; it is com- II posed of those whom the reckless policy of P. Clodius has allowed to batten on rapine and arson and everything that is ruinous to the state,—men who so lately as at a meeting held yesterday were instigated to dictate to you the verdict you should give now. But any uproar you may hear from them should only add to my warning to you not to deprive yourselves of a fellow-citizen, who has always disregarded that class

of men and its loudest uproar, when your welfare was at stake.

- 4 Be calm then, gentlemen of the jury, and lay aside such apprehensions as you entertain. For if ever a jury has had authority to decide the fate of honest and brave men, of loyal and deserving citizens, if a select body of men drawn from the highest classes in the state has ever had an opportunity of demonstrating by act and vote the good-will towards brave and honest citizens which their looks and words have often implied, this is the time; and you, you surely have full authority to determine whether we, who have always been devoted to your influence, shall for ever languish in misery, or whether, after a long persecution from the most abandoned of our fellow-countrymen, we shall be at last refreshed by you and your honour, your
- 5 truly brave and wise conduct. Can there indeed be for me and my client, gentlemen, any task more arduous than this, more anxious or harassing, described in speech or pictured in fancy—for us, I say, who after having been attracted to political life by the expectation of the most splendid rewards, cannot be free from the fear of the most barbarous reprisals? I indeed always thought that Milo must confront all manner of storms and tempests, in the troubled seas of political meetings at all events, because I knew he had always sided with the honest against the disloyal; but in a court of law and before a jury composed of the most distinguished members of all the privileged classes, I never imagined that Milo's enemies would have any hopes, I will not say of seriously endangering his posi-

tion, but even of impairing his fame, by the aid of such men as you. However in this case, gentlemen, I will 6 not resort, as freely as I might, to T. Anniius's services as tribune and to his continual protection of the state, as his best defence against this charge. Unless I can make you see plainly that it was Clodius who intended the assassination of Milo, we will not entreat you to overlook this charge on account of our numerous distinguished services to the state; we will not require you, supposing P. Clodius's death to be in fact your preservation, to ascribe the boon rather to the bravery of Milo than to the good fortune of Rome. But if I can make Clodius's murderous intentions more evident than the light in which we stand, then and not till then I will solemnly appeal to you, gentlemen, to leave us at least, even if we have lost all else, the right to defend our lives without fear of the consequences from the villainy and from the daggers of our private enemies.

But before I come to the special line of argument III which is appropriate to your inquiry, I think I should 7 deal with the insinuations which have been frequently cast at my client, in the senate by his enemies, at a public meeting by disloyal persons, and a few moments ago by the counsel for the prosecution; with the object of enabling you to see clearly, on the removal of every misconception, what sort of case it is that is being presented for your decision.

First then, they say that the light of day should not be profaned by the guilty gaze of one who admits that he has taken the life of a fellow-creature. I will only

ask in what city it is that they are so very foolish as to use this argument? It is actually in the city which witnessed as its first criminal case the trial of the gallant M. Horatius, who though Rome was not yet a free country, was set free by the formal assembly of the Roman people, though he admitted that he had slain his
8 sister with his own hand. Or is there any one ignorant of this fact, that when a case of homicide is being investigated, it is usual for the charge to be met either with a direct denial or with a plea that the act was justifiable morally and legally? Otherwise you must maintain that P. Africanus was insane, since, when C. Carbo asked him before a public meeting what was his opinion as to the death of Ti. Gracchus, his reply was that he considered it a case of justifiable homicide. Nor could the great Servilius Ahala, or P. Nasica, or L. Opimius, or C. Marius, or the senate in the year of my consulship avoid the imputation of guilt, if guilt there were in the execution of utterly wicked citizens. Therefore, gentlemen, it is not without reason that even in legendary form the most thoughtful writers have handed down to us this truth, in the story of the hero who, having killed his mother to avenge his father, when the votes of his human judges were divided, was acquitted by the casting vote of a deity,
9 indeed of the goddess of wisdom herself.¹ But if by the Twelve Tables it is not a punishable offence but a lawful act to kill a robber by night under any circumstances, and a robber by day, if he defends himself

¹ Orestes — Clytemnestra — Agamemnon — the Areopagus — Athene — in the *Eumenides* by Aeschylus.

with a weapon, can any one suppose that, under what-
ever circumstances a man has been killed, the act is
punishable? particularly when he sees clearly that the
laws themselves sometimes put the sword into our
hands for the slaying of a fellow-creature? But surely IV
if there is any occasion on which homicide is justifi-
able,—and there are many such,—it is certainly not
only justifiable but even necessary to commit it, when
violence is being met by violence. When an attempt
was made on the honour of a soldier by an officer in
the army of C. Marius, who was related to that com-
mander, the villain was killed by the man he was
trying to assault; the virtuous young man preferred
a dangerous act to a disgraceful compliance: and so in
his case the all-powerful general acquitted him of guilt
and released him from all danger. But in the case of 10
assassins and brigands, can any death inflicted on them
require justification? What is the meaning of our
escorts of servants and of our swords? Surely we
should not be allowed to carry them, if we were not
allowed to use them under any conditions. There is
then this right, gentlemen of the jury, and it is no
written law but a law of our nature, a law which we
have not received from any teaching, tradition, or
reading, but one which we have instinctively grasped
with avidity and eagerly sucked in at Nature's breast,
to obey which we have been not taught but formed,
guided not by instruction but by instinct,—the right, I
say, that if any treacherous attempt has been made on
our lives, if we have incurred violence and fallen among
brigands or private enemies, no means by which we can

11 extricate ourselves should be considered immoral. For the voice of the laws is silent amid the clash of arms, and we are not required to wait for their aid ; since the man who chooses to wait, will undergo the unjust vengeance of his enemies before he can claim by the law the vengeance which is justly his due. Although the existing law gives a very wise and in a manner tacit sanction to self-defence, when it prohibits not homicide without qualification but the carrying a weapon with intent to kill ; the intention being that, the motive and not simply the weapon being the subject of inquiry, a person who had carried a weapon only for the purpose of self-defence, might not be pronounced to have carried a weapon with intent to kill. Accordingly let this much, gentlemen, be taken as established in the case. I have no doubt of being able to prove my arguments for the defence to your satisfaction, if you remember, what indeed you cannot forget, that a man who attempts to take life may be justifiably put to death.

V The second allegation, one which has been made
12 very frequently by Milo's enemies, is this ; that the affray in which P. Clodius was killed has been declared by the senate 'a breach of the public peace.' But on the contrary that occurrence had the approval of the senate, expressed not only in resolutions but even in open enthusiasm. Yes, remember how often we discussed the affair in the senate ! remember the unanimity of the whole body, how outspoken it was and how undisguised ! When were there, even in the fullest house, four or at the most five persons discoverable to

express disapproval of Milo's case? This is plainly indicated by the interrupted harangues of this worthy tribune of the plebs who was so damaged by the fire,¹ those speeches in which he daily made injurious reflections on my 'ascendency,' telling you that the senate's resolutions were dictated by my wishes and not by its own feelings. And if my power is to be termed an ascendency, rather than a moderate influence on the side of honesty earned by great public services, or a certain amount of popularity with honest men due to exertions such as these put forth by me at the call of duty, I do not mind the name, so long as I am allowed to use the power to defend the honest against the frenzied assaults of disorder. But as to this com- 13
mission of inquiry, though it is not an inequitable one, the senate never thought that it ought to be appointed at all. There were the ordinary laws in force, there were the ordinary courts open to try cases of murder or violence; and the senate was not plunged into such mourning and woe by the death of P. Clodius, as to call for the appointment of a special commission. When he committed a sacrilegious outrage, the senate was forcibly deprived of its lawful authority to settle the mode of trial;² and now that he has perished, can any one suppose that the senate has thought the appointment of a special commission in any way necessary? Why then did the senate pass the resolu-

¹ T. Munatius Plancus, physically on Jan. 19.

² Cicero refers here, and in many places subsequently, to the attempt to convict Clodius for having committed sacrilege by his presence in the house of the Pontifex Maximus (C. Julius Cæsar) at the celebration of the rites of the Bona Dea in 62 B.C.

tion that the burning of the senate-house, the attack on the house of M. Lepidus, and this very affray, were 'breaches of the public peace'? Because no violence takes place in a free country between citizens which
14 is not a breach of the public peace. There is no case in which such a method of self-defence is desirable, but there are occasions when it is necessary: nor can it be maintained that the day on which Ti. Gracchus was killed, or the day of C. Gracchus's death, or that on which the followers of Saturninus were suppressed (even if their suppression was in the interests of the
VI state), inflicted no wound on the Commonwealth. So I myself supported a resolution,—it being notorious that an affray had taken place on the Appian Road,—not indeed to the effect that a man who had acted in self-defence, had committed a breach of the peace; but the affair being complicated by violence and an attempt to assassinate, I preferred to reserve the criminal charge for a jury, while I censured the whole occurrence. And if that frantic tribune had not prevented the senate from acting as it felt, we should not now be troubled with any special commission. The resolution being discussed was that the inquiry should be held under the ordinary legal arrangements but at an extraordinary session of the court. The question was put in two parts on the motion of some member or other: I need not expose every one who acted scandalously. In this way the remaining half of the proposal before the senate was struck out by the veto of a mercenary tribune.

But, thirdly, it is said that Cn. Pompeius by the bill 15
 he introduced has already pronounced on the facts and
 the merits of the case: for he brought in a bill to deal
 with the affray on the Appian Road in which P. Clodius
 was killed. What then was his bill? It was, of
 course, that there should be a formal inquiry. Very
 good; but what is the subject of the inquiry? The
 fact that Clodius was killed? It is not denied. The
 perpetrator of the deed? His identity is established.
 No! Pompeius saw clearly that even when an act is
 admitted, a plea of justification can be set up. If he
 had not seen that there was this possibility of acquitting
 a man who admitted his act, then, it being clear to
 him that we make such an admission, he would never
 have given orders for an inquiry, nor would he have
 served out to you the tablet by which a jury acquits a
 man as well as that which carries disaster. In my
 opinion Cn. Pompeius, far from having pronounced
 any serious condemnation of Milo, has actually deter-
 mined the considerations by which you should be
 guided in deciding his case. In awarding to a man
 who admits his act not immediate punishment but an
 opportunity of defending his conduct, he has acted as
 one who holds that the motive and not the mere fact
 of the homicide is the proper subject of an inquiry.
 He will, I am sure, soon tell you this himself, whether 16
 he considered his spontaneous action in this matter
 required by the importance of P. Clodius or by the
 exigencies of the situation. It was in his own house VII
 that a man of the highest rank, the champion and in
 these dark days almost the protector of the senate,

the uncle of one of our jurymen here, my gallant friend M. Cato, and a tribune of the plebs, was killed. Yes, M. Drusus was killed ; but the popular assembly was never apprised of his death, nor was any commission of inquiry voted by the senate. Have we not heard from our fathers of the deep despair which prevailed in this city, when P. Africanus was assassinated by night as he was asleep in his own house ? Every eye was filled with tears, every heart with indignation, at the thought that the man whom all men were wishing immortal, could such a thing have been, had not been permitted to live even to the natural term of life. But was any commission voted to inquire into Africanus's
17 death ? No, there was none. And why not ? Because it is not one species of crime to murder a man of mark and another species of crime to kill one of humble position. It is right that there should be a difference during life between the highest and lowest in rank ; but when a man has been deprived of life by murderous violence the criminal must be subject to the same laws and the same penalties in all cases. Or you must maintain that a man is more of a parricide if his murdered father has been consul, than if he was of low rank ; or that the death of P. Clodius is more horrible because he has been slain among the memorials of his ancestors,—this actually is an assertion his friends often make. As if indeed the great Appius Caecus constructed the road not for the use of the public but as a place for the licensed
18 brigandage of his descendants ! Thus the murder on that same Appian Road by P. Clodius of a very

brilliant Roman knight, M. Papirius,¹ was not a crime which called for punishment; it was merely a nobleman killing a Roman knight among the memorials of his own ancestors! But what heroics are excited now by the mention of the Appian Road! Then it was stained with the life-blood of an honourable and innocent man, and nothing was said about it: now its name is on every one's lips, since the hour when it was dyed with the gore of a robber and a traitor. But why do I dwell so long on that? There was arrested in the Temple of Castor a slave of P. Clodius, whom his master had posted there to assassinate Cn. Pompeius. The dagger was wrested from him as he admitted his intention. Pompeius from that moment kept away from the forum, from the senate, from public life altogether: his own walls and doors protected him; he secured no protection from the laws and courts of his country. Was any bill brought in then, was any 19 special commission voted? No, none. But surely if ever there was an incident, a person, a crisis, which cried aloud for such a course, in Pompeius's case all those circumstances were certainly in the highest degree important. The assassin had been posted in the Forum, nay, in the entrance of the senate's place of meeting. A life was menaced on which the safety of Rome depended. It was moreover at a crisis in our history when, if that single life had perished, not only Rome but the world would have perished with it. Or you must maintain that because the plot was not

¹ In 58 when attempting to re-capture from Clodius an Armenian prince held to ransom by Pompeius.

successful, there was no need to punish it : as if indeed the law visits with vengeance only accomplished facts and not intended crimes as well. There was less reason for dejection when the plot failed, but there
20 was surely no less reason to punish it. Remember how often I myself, gentlemen, have eluded the daggers of P. Clodius and escaped his blood-stained hands. But if I had not been preserved from him by some providence which protects me or my country, would any one, I ask you, have moved for a commis-
VIII sion of inquiry into my death? But it is folly to dare to compare Drusus, Africanus, Pompeius, or myself with P. Clodius. Those attempts could be tolerated : no man can bear with calmness the death of P. Clodius. The senate is in tears, the knights in despair, the whole community is decrepit with grief; the boroughs wear the garb of woe, the ancient colonies are crushed to the earth, the very soil of Italy is
pining at the loss of a citizen so generous, so bene-
21 ficent, so tender-hearted! No! this was not the reason, gentlemen, I assure you this was not the reason for Pompeius's conviction that he ought to move for a commission. But as a man of great sense and of an intellect lofty and almost superhuman, he took a broad view. He saw that the dead man was his personal enemy, Milo his personal friend; he was afraid that if he let it be seen that he too shared the general rejoicing, the belief in the sincerity of their reconciliation would be impaired. He observed also many other points, particularly this fact, that though the terms of his motion were severe, you would still

give your verdict like brave men. Accordingly he selected from the most illustrious classes their most brilliant members; and he certainly did not, as some persons assert, exclude my friends in choosing the jury. Such an idea never entered into the calculations of his upright mind; nor could he in selecting honest men have executed it, even if it had been his object. For my popularity is not confined to the circle of my private friends, which cannot be a very large one, since the closer intimacies of life cannot be shared with many persons: but my power—such power as I have—is derived from my political connexion with honest citizens; and when Pompeius was selecting the most trustworthy persons, and felt himself bound in honour to do so, he could not select men not devoted to me. Again, in his special wish that 22 you, L. Domitius, should preside over this commission, he had no object but to secure an upright, dignified, courteous, and conscientious judge. He proposed that the president of the commission should be an ex-consul: presumably because he thought it the function of the leading men to oppose the frivolity of the masses and the recklessness of the disorderly. Of the ex-consuls available he preferred to appoint you: for of your contempt for the extravagances of the popular party you had from your youth up given unmistakable proofs.

So, gentlemen of the jury, to come at last to the IX case and the charge before you, my position is this: if 23 in the first place it is not the fact that a man never admits his act, if secondly the senate has not pro-

nounced on the merits of our case any opinion to which we take exception, and if thirdly the person who introduced the bill knew that the fact was not disputed and yet wished the question of justifiableness to be discussed; if a jury has been selected and a president appointed for this commission likely to give our case a just and wise consideration, it only remains, gentlemen, to point out that your sole duty is to inquire which of the two men intended to murder the other. And that you may the more easily draw the right inferences as to this point, I will ask you to give me your careful attention, while I lay before you briefly what actually occurred.

- 24 P. Clodius, having determined to persecute his country by every kind of crime when praetor, and observing that the elections to that office had been so delayed in the previous year that he would not have many months left in which to hold the praetorship, since he was not, as the other candidates, aiming at the step in official rank, but was wishing on the one hand to avoid having as his colleague that exceptionally energetic citizen, L. Paulus, and on the other to secure a full year for the disintegration of his country,¹ he suddenly abandoned his proper year and transferred his candidature to the following year, not because of any of the usual religious obstacles, but avowedly in order to secure for the discharge of the praetorship, in other words, for the ruin of his country, a complete and
25 undiminished twelvemonth. It often occurred to him

¹ The elections which should have been held by the end of 54 for 53 B.C. did not take place till the following July.

that his power as praetor would be weakened and impeded if Milo became consul; and he saw further that Milo was about to be elected with the utmost unanimity by the Roman people. He attached himself to Milo's rivals for the office, but only on condition of managing the whole canvass himself single-handed even when acting contrary to their wishes, of taking on his own shoulders, to use his phrase, the whole burden of the election. He tried to summon the tribes and to put himself in evidence in the matter; he began to enrol an entirely new Colline tribe¹ by putting on the register the most disaffected of his fellow-countrymen. But the more confusion Clodius created, the stronger did Milo grow day by day.² And when the villain, ready for any sort of mischief, saw that a truly brave man, and his bitter foe, was absolutely sure of the consulship, and recognised that this had been often demonstrated not only by the common talk but even by the recorded votes of the electors, he began to take open measures and to declare in public that Milo must die. That gang of 26 uncivilised country slaves, with which he had wasted the public forests and devastated Etruria, had already been brought down by him from the Apennines, and you often saw them. There was no mystery about his intentions: in fact he frequently announced in public that though Milo could not be robbed of the

¹ *i.e.* made a practically new tribe out of the old Colline tribe; or (possibly) made some of the other tribes as bad as the Colline.

² Or possibly a metaphor from an unsuccessful attempt to poison, though this would seem inapplicable to Clodius's open violence. 'The more potions Clodius brewed . . .'

consulship, he could be robbed of his life. He often hinted this threat in the senate, he actually uttered it at a public meeting; and when my gallant friend, M. Favonius, asked him what he expected to gain by his recklessness while Milo lived, he replied then in three or at the most four days, he would be dead: an expression which was at once reported by Favonius to M. Cato, who is here in court.

X Clodius meanwhile being aware—and there was no
27 difficulty in ascertaining the fact—that Milo had to pay a visit of a ceremonial character and definitely fixed by law for a certain date, on the eighteenth of January,¹ to Lanuvium to declare the election of a priest, [he being dictator of Lanuvium,] he suddenly left Rome himself on the previous day, with the object—as subsequent events have shown—of stationing men near his own land to attack Milo: and he left Rome so suddenly that he threw over a disorderly mass-meeting, at which his inflammatory speeches were much missed, and which he would never have given up, unless he had been anxious to be ready at the
28 time and place chosen for his crime. Milo on the contrary having been present in the senate on the 18th, till the adjournment of the house, went home, changed his senatorial shoes and dress, waited the usual few minutes while his wife was getting ready, and finally started at an hour by which Clodius could have returned, if he had been intending to reach Rome that day. Clodius met him, ready for action and riding,

¹ By the pre-Julian calendar, in which January had twenty-nine days only.

with no carriage, with no baggage, without his usual retinue of Greeks, and, most unusual, without his wife ; while my client, this would-be assassin, who is supposed to have planned this journey simply in order to commit a murder, was driving in a carriage with his wife, with his travelling cloak wrapped round him, and with a large and troublesome suite of pampered pages and 29
 ladysmails. He met Clodius near Clodius's land about a quarter to four in the afternoon or not much earlier. Without delay several of Clodius's armed attendants charged down upon my client from the ground above the road ; those in the road killed his coachman. But when Milo threw off his cloak, sprang from the carriage, and began to defend himself spiritedly, Clodius's immediate companions drew their swords and, while some of them ran back to the carriage to attack Milo in the rear, others, thinking he was already despatched, began to cut up the slaves who were behind him. Of those of Milo's slaves who showed fidelity to their master and presence of mind, some were killed, and others, seeing a fight going on near the carriage, and being prevented from assisting their master, and hearing Clodius boast and thinking it was really the case that Milo had been killed, then Milo's slaves—I will state this openly, not in order to divert the charge, but merely to give you the facts—did without the orders or the knowledge or the presence of their master just what any one would have wished his own slaves to do in a similar emergency.

These, gentlemen, are the facts which occurred, in XI
 the order in which I have exhibited them. An attempt 30

to assassinate was foiled : violence was vanquished by violence, or rather an impudent assault was vigorously repelled. I say nothing of the advantages which accrued to Rome, to yourselves, to all honest men. I do not wish you to impute this as a merit to Milo, whose destiny it has been not to have been able to save his own life without simultaneously saving you and his country. If his act was not justifiable, I have no defence to make : but if self-defence is the lesson which civilised man has been taught by reason, and savages by the force of circumstances, the whole world by habit, and even the wild beasts by natural instinct, I mean the right of defending by any means possible, one's person, one's position, and one's life from every sort of violence, you cannot pronounce my client's act a wickedness, without thereby expressing an opinion that all persons who have fallen into the hands of robbers must submit to death from their daggers, or
31 else from your legal verdicts. If Milo had thought this inevitable, he would certainly have preferred to let himself be murdered by P. Clodius,—and it would not have been the first occasion on which Clodius had struck at him,—rather than leave the execution to you, since he had not voluntarily offered himself to Clodius to be executed, as he has to you. But if this is not the feeling of any man here, then the point for the present jury to decide is, not whether Clodius was killed—we admit that—but whether the homicide was justifiable or not, a question which has often and in many cases been the disputed point. It is notorious that an attempt to murder was made ; and that attempt

is what the senate has pronounced a breach of the peace. It is uncertain which of the two men made that attempt; and that therefore was the point which was referred to a commission of inquiry. Thus the senate censured the whole affair and not any particular individual; and Pompeius moved for an inquiry into the plea of justification and not into the question of fact. Is there then anything for the court to consider XII but this, which of the two men intended to murder the other? Most assuredly there is nothing else. If it was my client, he must not go unpunished: if it was the deceased, we must be declared guiltless.

Under what conditions then can it be made clear to 32 you that it was Clodius who intended to assassinate Milo? In dealing with the conduct of a monster so bold and wicked as Clodius, it is sufficient for me to show that he had great reason to desire Milo's death, great hopes depending on it, and great advantages to be gained by it. And so the test-question of Cassius, 'who was the gainer?' should be applied to the actors in this incident, though it is true that honest men cannot be attracted to dishonourable courses by any form of self-interest, but the dishonest can often be attracted by a small amount of gain. Now the fact is that by the death of Milo Clodius was likely to secure, not only the possession of the praetorship free from the interference of a consul who would render any violence on his part impossible, but in addition to that the possession of the praetorship under consuls with whose certain connivance, if not open assistance, he anticipated that he would be allowed a free hand

in his deep-laid and reckless schemes: for they, as he argued, would not be anxious to thwart his experiments, even if they could, feeling themselves so deeply indebted to his kind assistance, and even if they were willing, they would perhaps be hardly able to resist effectively his criminal violence, strengthened as
33 it was by years of licence. Or can it be, gentlemen of the jury, that you are the only men who do not know, that you are living like strangers in this city, that your attention is all astray and not occupied with the pervading topic of conversation in Rome? Have you not heard of the laws, if laws they are to be named rather than brands to burn the city and plagues to infect the body politic, which he was intending to impose upon all of us with an iron hand? Produce, I beg you, Sextus Clodius, produce the boxful of the statutes you and your master were intending to bring in, which you are said to have saved from Clodius's house and to have carried off as your Palladium from the midst of the armed men and the midnight mob, to give it as a precious trust, I suppose, and a powerful weapon for a tribune to wield, if you could happen to find any one to be tribune under your orders. [And by means of Or would Clodius have dared to say a word about this bill, which Sextus is so proud of having discovered, in Milo's lifetime, much less in the year of his consulship? It was to affect all of our—I dare not say all. But reflect how pernicious the bill would have been, when even to criticise it is dangerous.] Yes, he has given me one of those glances which were so frequent from his eyes when he was making every

sort of threat against everybody. No wonder I am dazzled by the bright light of the senate-house! What? XIII do you think that I am angry with you, Sextus, when you inflicted on my bitterest foe a much more savage punishment than my soft heart could demand? It was you who flung P. Clodius's blood-stained corpse out of his house, it was you who tossed it into the public street, it was you who robbed it of the customary parade of ancestral images, of funeral pomp and on my foe that you wreaked your brutality, though I certainly cannot commend you, I am not bound to procession and panegyric, and left it charred on an ill-omened bonfire to the teeth of midnight dogs. And so, though your conduct was execrable, still since it was be angry with you.

You have heard, gentlemen, how much advantage 34 Clodius expected to derive from the death of Milo. Now direct your attention to Milo in his turn. What had Milo to gain by the murder of Clodius? What reason had Milo, I will not say to commit the deed, but even to hope for that event? 'Clodius was the chief obstacle to Milo's attainment of the consulship.' Yes; but Milo was succeeding in spite of his opposition; nay more, he was succeeding on account of that opposition, and my support was not a stronger recommendation to the voters than Clodius's opposition. You were impressed, gentlemen, by your recollection of what Milo had done for me and for his country, you were moved by our prayers and tears, which I saw at the time affected you to an amazing degree; but you were much more strongly moved by your own appre-

hension of impending dangers. There was no Roman citizen who contemplated without the most serious dread of a revolution the prospect of Clodius holding the praetorship without any restraint; and you all saw that unrestrained he would be, unless the consulship were in the hands of a man who had the will and the power to muzzle him. And since all Rome felt that Milo, and Milo alone, was the man, surely no one would have hesitated to give his vote in such a way as to free himself from his alarm and his country from peril? But as things are now, since Clodius has been removed, Milo can rely only on the ordinary recommendations in his efforts to maintain his high position. The exceptional and unique distinction which he enjoyed, which was augmented every day by his resistance to Clodius's reckless schemes, has now disappeared with Clodius's decease. You have won your release from having to fear any particular citizen: but Milo has lost a field on which to exercise his courage, a recommendation to the electors for the consulship, and a perennial source of the fame which he was gaining. Accordingly Milo's prospect of the consulship, which as long as Clodius lived was not open to attack, is being for the first time really assailed now that he is dead. So far then from Clodius's death doing Milo any good, it
35 does him a positive injury. 'But Milo was influenced by his hatred, acted in the heat of anger, acted as a personal enemy, was in a position to repay the wrong done to him and punish Clodius for the indignities under which he smarted.' Well! if such impulses were, I will not say stronger in Clodius's mind than

in Milo's, but if they were the strongest motives with Clodius and non-existent with Milo, what more do you want? For why should Milo hate Clodius, who had sown the seeds and furnished the fabric of the fame he gained by opposing him, except with the ordinary political animosity which we feel for all disloyal men? In Clodius's case there was a reason for his hating, first the man who was my protector, secondly the man who had thwarted his reckless temper and defeated his forces, thirdly the man who was prosecuting him; for Clodius was liable as long as he lived to be prosecuted by Milo under the Plotian law. Now I ask you with what feelings it is likely that Clodius's despotic spirit endured this position? How he must have hated Milo! and in a man so unjust as Clodius how just was that hatred!

There remains the argument that after all Clodius's XIV
innocence may be established from his natural char- 36
acter and habits, and my client's guilt inferred from his past record: that Clodius never and Milo always acted with violence. What is this? In my own relations with Clodius, gentlemen, when to your great grief I retired from Rome, was it a trial by process of law that I dreaded? Was it not rather the employment of slaves, of armed men, of violence? And so what valid reason would there have been for my recall from exile, if the pretexts for expelling me had not been legally invalid? Clodius had obtained a warrant against me, I presume, had moved for the imposition of a fine, had threatened me with an impeachment for high treason! and of course I had reason to dread the

- verdict in a case which was either a poor one or one affecting me alone, and which was not, I say, a very strong one and one affecting every one here! No, I could not endure that my fellow-citizens, to whom my forethought and my perils had brought safety before, should be exposed for my sake to the swords of slaves
- 37 and paupers and criminals. For I saw with my own eyes my friend here present, Q. Hortensius, that brilliant ornament of Rome, nearly murdered by slaves, when he was assisting me: and in the same disturbance a member of the senate, the excellent C. Vibienus, who was with Hortensius, was so roughly handled that he lost his life. And when indeed after that day did the dagger which Clodius had inherited from Catilina ever rest in its sheath? That dagger was aimed at me; that you should be exposed to it for my sake was the thing I could not endure; it was stealthily directed against Pompeius; it stained with the blood of Papirius that Appian Road which recalls the name of Clodius's ancestor; after many years it was again pointed at my heart; but lately, as you know well, it nearly despatched me near the Palace.¹
- 38 What is there like this in Milo's record? The only force he ever employed was to prevent P. Clodius, since no one could drag him before a court of law, from terrorising the state by his continual violence? And if he had desired to kill him, how easily he could have done it! how many excellent opportunities he

¹ The ruins of the Palace of Numa, afterwards the residence of the Pontifex Maximus, and still later devoted to the use of the Vestal Virgins, may now be seen in the Forum.

had ! Could he not have wreaked his vengeance justifiably when he was defending his own hearth and home from Clodius's assault ? When that admirable patriot and gallant man, his colleague P. Sestius, was wounded ? when the excellent Q. Fabricius, as on his bringing in a bill for my recall, was forced to retire, and brutal bloodshed was perpetrated in the Forum ? when the house of L. Caecilius, the upright and courageous praetor, was besieged ? Could he not have acted on the day when the bill on my behalf was passed, when the crowds of citizens from every part of Italy, who had been brought up by the prospect of my recall, would have acknowledged with such readiness the splendid character of the deed, that even if Milo's hand had struck the blow, the whole community would have claimed the credit of it ?

And what in truth was the nature of that occasion ? XV
There was the very distinguished and gallant consul, 39
a bitter enemy to Clodius, who had punished his crimes, fought for the senate, upheld your desires, championed the cause on which the country was unanimous, and promoted my recall from exile : there were the seven praetors and the eight tribunes of the plebs, who were hostile to Clodius and anxious to protect me : there was Cn. Pompeius, who originated and directed the plans for my recall, and was Clodius's open enemy ; whose motion in my favour, expressed in the most weighty and elegant language, was adopted by the senate ; who encouraged the Roman people ; who, by framing a resolution in my favour at Capua, gave the Italians, who were all anxiously appealing to his

honour, the signal to flock to Rome to vote for my recall: in fact every Roman heart was fired with a hatred of him kindled by regret for me; and if any one had despatched him then and there, the subject for deliberation would not have been how he might escape
40 punishment, but how he might be rewarded. However Milo controlled himself, and though he twice summoned Clodius to appear before a jury, he never challenged him to open violence. Or again, when Milo had ceased to hold office and was being prosecuted before the popular assembly by Clodius, on the occasion when an ugly rush was made at Cn. Pompeius as he was speaking for Milo, was not that an opportunity, or rather, was it not a reason for destroying him? And recently when M. Antonius had inspired all honest citizens with a high expectation of security, and, young and highborn as he is, had most courageously undertaken a most arduous public duty, and had at last firmly gripped the crafty monster who was so carefully evading the traps set for him by the law, what an opportunity, what a moment, by heaven, was that! When Clodius had run away and hidden himself in the dark staircase, would it have been much trouble for Milo to terminate his baneful career, with no unpopularity to himself, and with great honour to M.
41 Antonius? Or again, how often Milo had his opportunity at the elections in the Campus Martius? When Clodius had invaded the voting places, and had had swords drawn and stones thrown, and then suddenly alarmed by a glance from Milo was running away towards the Tiber, you and all honest men, I know, were

praying that Milo might choose to exhibit his natural energy.

Since then he did not choose to kill him when he XVI would have been universally thanked, is it likely that he did choose when some people were sure to object? If he did not dare to kill him with a good excuse, at a suitable time and place, and with no fear of punishment, is it likely that he did not hesitate when he had no justification, when the place was disadvantageous and the time not his own choice, and when he was sure to be prosecuted? Particularly, gentlemen, at a 42 time when he was engaged in a contest for the highest office in the state, and the day of the election was drawing near, a time when—for I know well how nervous a task it is to stand for office, and how keen and anxious is the desire to be elected consul—when we fear everything, not only open censure, but secret criticism as well, when we dread any gossip, any false or silly piece of scandal, when we scan closely the looks and expressions of all. There is nothing so sensitive or delicate, nothing so frail or so easily moulded as the opinions and feelings of our fellow-citizens about us as candidates for office, since they are not only angry at misconduct, but often fastidious even at what is perfectly correct. Milo then 43 had as the object of his hopes and desires the day of the elections in the Campus; and is it probable that he intended to come to the solemn ceremonies preliminary to the Centuriate Assembly with blood-stained hands openly exhibiting and avowing a heinous crime? How incredible would such conduct have been in him!

how natural a similar course on the part of Clodius ! since it was Clodius's idea, that if Milo were removed, he would enjoy regal power. Well ! gentlemen (and this is the main point), who does not know that the greatest inducement to do wrong is the anticipation of escaping punishment ? Now which of the two men had this expectation ? Milo, who is even now standing his trial for an act which was either illustrious or at least necessary ? or Clodius, who had so utterly set at naught all ideas of trial and punishment as to take pleasure in nothing in any way sanctioned by natural
44 instinct or permitted by the laws of his country ? But what need have I for this reasoning or for any prolonged discussion of this point ? I call upon you, Q. Petilius, whose worth and bravery we all know. I appeal to you, M. Cato, whom, with Petilius, providence has permitted me to see serving on this jury. You two heard from M. Favonius that Clodius said to him—and you heard it while Clodius still lived—that in three days Milo would be dead : this incident actually occurred three days after the remark. Now when Clodius had no hesitation in disclosing his intention, can you have any reasonable doubt as to his action ?

XVII How then was it that he made no mistake about the
45 day ? I have just explained this : there was no difficulty in getting information as to the fixed festivals at which the dictator of Lanuvium presided. Clodius saw that Milo was obliged to start for Lanuvium on the day on which he actually did start ; accordingly he preceded him. But what was the day ? It was the day, as I said before, on which there was a very disorderly mass-

meeting called together by a tribune who was in his pay ; and that day, that meeting, and that disturbance he would never have missed, if he had not been in a hurry to execute a crime he had planned. This proves that Clodius had no reason for going, but a strong reason for staying at Rome : Milo had no reason for staying, and not so much a reason as a definite obligation to leave Rome. Again, what if, just as Clodius knew that Milo would be travelling on that day, so Milo could not even surmise that Clodius would be there. I will ask first how Milo could be aware of 46 that fact ; and you cannot ask me the same question with reference to Clodius. For supposing he asked no one but his intimate friend, T. Patina, he could have ascertained from him that Milo as dictator of Lanuvium must be there on that day to declare the election of a priest ; and there were many other persons from whom he could very easily ascertain that fact. But in Milo's case, from what source could he have inquired as to Clodius's return ? Suppose he did inquire—I am making you a very large concession—suppose he even bribed a slave, as my friend Q. Arrius suggested. Read the depositions made by your own witnesses. It was stated by C. Causinius Schola of Interamna, Clodius's intimate friend and his companion on that occasion, the man whose evidence once proved Clodius to have been at the same hour at Interamna and Rome,¹ that P. Clodius was intending to remain that day at his place at Alba, but that he suddenly received the intelligence of the death of Cyrus the architect,

¹ Clodius's attempt to establish an *alibi* in the Bona Dea affair.

and therefore at once decided to come on to Rome. The same statement was made by another of P. Clodius's companions, C. Clodius.

- XVIII Now mark, gentlemen of the jury, the importance
47 of the points which are settled by these depositions. First, Milo is surely cleared of the charge of having left Rome with the intention of attempting to murder Clodius on the road : obviously so, if, as was the case, Clodius was not going to meet him at all. Secondly,—for I do not see why I should not do a stroke of business for myself as well,—you are aware, gentlemen, that there were some persons who in supporting this bill, said that Clodius had been slain by Milo's hand but at the instigation of some greater one. It was to me of course that these wicked and despicable men applied the epithets of robber and assassin. They are prostrated by the evidence of their own friends, who say that Clodius would not have returned to Rome that day, if he had not heard of Cyrus's death. I can breathe again, I am acquitted ; for I do not apprehend being supposed to have reckoned on an accident which
48 I could not have even surmised ! I will now follow up the remaining points. I am confronted by this objection : ' in that case Clodius also could not have intended any violence, since he was purposing to remain at his place at Alba.' True ; unless perhaps he had been proposing to sally out from his house to commit the murder. It is clear to me that the man who is said to have brought him the intelligence of Cyrus's death, really reported not that fact but the near approach of Milo. What reason was there for bringing news of

Cyrus? Clodius when he started from Rome had left him on his deathbed. I was there too; I sealed the will as well as Clodius. Cyrus had made his will in the presence of witnesses and had made Clodius and me his heirs. And after he had left him early on the previous morning at his last gasp, is it likely that the news of his death did not arrive till the following afternoon? However, let us assume that the fact was XIX so; what reason was there for his hurrying to Rome? 49 for his plunging into a journey by night? was the fact that he was Cyrus's heir any reason for increased speed? In the first place, there was no need for any hurry at all; secondly, even if there was any, what possible object was there which he would secure that night, but lose if he arrived at Rome the next morning? And just as Clodius had cause to avoid rather than to desire an arrival at Rome after nightfall, so Milo, being in your view a would-be assassin, if he knew that his victim would reach the city by night, ought to have lurked there and waited for him. For in that case no 50 one would have disbelieved his denial of the deed, since even when he admits it every one is anxious to see him acquitted. The accusation would have fallen, in the first place, on the locality which notoriously conceals and harbours robbers, since the silent and lonely spot would not have revealed and the darkness of night would have sheltered Milo; secondly, if that had been the place, many persons whom Clodius had insulted, plundered, and despoiled, many persons who were apprehending similar treatment, would have been suspected, in short the whole of Etruria would have

5¹ had to defend itself from the charge. Besides, it is certain that Clodius, as he was returning that day from Aricia, put up at his place at Alba ; so even supposing that Milo knew that he had been at Aricia, he was bound to suppose that even if he was wishing to return to Rome that day, he would stop at his house, since it was on the road. Why then did Milo not either meet him before he could stop at his house, or else await him at the spot at which he was likely to arrive after nightfall ?

5² I observe, gentlemen, that every point so far is established ; namely, that to Milo it was positively advantageous that Clodius should be alive, while to Clodius Milo's death was most desirable as a step towards the ends on which he had set his heart : that Clodius entertained feelings of the bitterest hatred for Milo, while Milo felt none for Clodius : that Clodius's natural occupation was a perpetual employment of violence, while Milo was occupied only in resisting it : that Clodius had threatened Milo with death and openly published his threat, while no similar threat had ever been heard from Milo's lips : that the day of Milo's leaving Rome was known to Clodius, while the date of Clodius's return was not known to Milo : that Milo's journey was unavoidable, while Clodius's was inconvenient rather than otherwise : that Milo had made no secret of the fact that he would be leaving Rome on the 18th, while Clodius had pretended that he would not return to Rome on that day : that Milo had not altered his plans in any particular, while Clodius had invented a pretext for altering his plans :

that Milo, if he was intending to assassinate Clodius, ought to have waited near Rome for the darkness, while Clodius, even if not specially afraid of Milo, ought to have felt alarmed at the possibility of arriving at Rome after nightfall.

Let us now fix our attention on what is really the XX chief point; the place for the attack, the place where 53 they encountered one another, for which of the two combatants was it in fact more convenient? Now, gentlemen, on that point can there really be any hesitation or prolonged consideration? They met on the edge of Clodius's estate, that estate on which in consequence of his extravagant basement-constructions fully a thousand able-bodied men were employed; and is it likely that when his enemy had secured the higher and more commanding position, Milo could have had any idea of success, and therefore specially selected that spot for the engagement? Or is it not more likely that he was awaited on that spot by an adversary who had reckoned on the nature of the position in laying his plans for the assault? The situation speaks for itself, gentlemen, and that is always the best evidence. If you were not listening to a narrative 54 of these events, but looking at a picture of them, it would still be evident which of the two men was the intending assassin, and which of the two was not meditating any violence. The one was driving in his carriage, with his travelling-cloak round him, and his wife by his side. Everything about him was a serious encumbrance; his dress, his conveyance, and his companion. No one could be less ready for a fight than a

man entangled in his cloak, encumbered by his carriage, and with his wife hanging round his neck. Now contemplate the other. He is starting from his house at a moment's notice. Why? It is evening. What is the urgency? He is in no hurry. How is that reasonable, especially at that hour? He called at Pompeius's house. Was it to see Pompeius? No, he knew that he was at his place at Alsium. To inspect the house? No, he had been there a thousand times. Then what was the reason? Nothing but delay and evasion. He did not wish to leave the place till Milo arrived.

XXI Now let me ask you to contrast point by point the
55 way in which this brigand travelled ready for action with the encumbered condition of Milo. On all previous occasions Clodius was accompanied by his wife; then he was without her. He never travelled except in a carriage; then he was riding. Generally he had a retinue of low Greeks wherever he went, even when he was hurrying to the stronghold in Etruria: on this occasion there was none of that trash in his train. Milo, who never had such a retinue, on that occasion happened to have with him his wife's singing-boys and troupes of ladysmaids: Clodius, though he always led about mistresses, minions, and courtesans, then had not brought a single one, unless you might say that every man had picked his mate. Then why was he worsted? Because the traveller is not always killed by the brigand, but sometimes the brigand is killed by the traveller; because though Clodius was prepared and the party he attacked was not, he was like a woman
56 attacking a number of men. Nor indeed was Milo

ever so unprepared against his designs, as not to be almost adequately prepared on this occasion. He always bore in mind how much P. Clodius had to gain by his destruction, how bitterly he hated him, and how daring he was: and so, knowing well that a high price, all but earned by some one, had been set on his head, he never put himself in the way of danger without the protection of an armed bodyguard. Besides this there were all the possibilities of accident, all the uncertainties of an appeal to force, and of the fortune of war, in which the combatant who is already triumphantly seizing the spoils has often ere now been laid in the dust by his prostrate foe. Observe also the senselessness of the leader of the party, who had dined well and drunk well, and was tired and yawning; mark how after leaving, as he thought, his enemy surrounded in his rear, he never thought of that enemy's rear-guard; and so when he fell among them as they were furiously angry and under the impression that their master's safety was past hoping for, he fell a victim to the vengeance which Milo's faithful slaves wreaked upon him for their master's death.

Why then did Milo liberate those slaves? We 57 must assume, of course, that he was afraid that information would be given, that they would not be able to bear the pain, that they would be forced by the torture to admit that P. Clodius had been killed by Milo's slaves on the Appian Road! Why, what need is there for a torturer to extract this admission? What is your question? Whether Milo killed Clodius or not? Of course he killed him. Whether his act was justifiable or

not? That is not a question to be put by the torturer. A question of fact is investigated on the rack, a plea
XXII of justification by a jury. The question then which is material to the legal case, we are investigating here; the fact which you want ascertained by the rack, we ourselves admit. But if your question is, why he liberated them, rather than why he rewarded them inadequately, you do not know how to criticise your
58 enemy's line of action. It was observed by the same man who always speaks with consistency and courage, I mean M. Cato, and it was said by him at a disorderly meeting, which his influence nevertheless managed to calm, that slaves who had saved their master's life, thoroughly deserved not only their freedom but every sort of reward. What recompense indeed is great enough for such generous, such excellent, such trusty slaves, for men to whom he owes his life? And yet even the preservation of his life is not so great a boon, as the fact that these same slaves prevented his vindictive enemy from being able to feed his eyes and glut his hatred with the spectacle of his blood-stained and wounded corpse. And if he had not liberated them, he would have had actually to surrender to torture men who had saved their master, punished villainy, and prevented murder. Yes, Milo in the midst of his misfortunes has nothing which causes him less annoyance than the knowledge that, even if anything happens to him, they will still have received their well-deserved reward.

59 However, the investigations which have just been held in the Hall of Liberty press Milo hard. Whose

slaves were examined there? Why, P. Clodius's slaves, of course! Who demanded their production? Appius. Who produced them? Appius. From whose house? From Appius's. Good heavens! can any procedure be more rigorous? Clodius has attained an elevation very near the gods, even nearer to them than when he had forced his way into their presence, when the inquiry into his death is conducted like a trial for sacrilege. Yet in the past it was not allowable to examine a slave against his master; this was due not to the idea that it was impossible to discover the truth in that way, but because the method was thought improper and even more painful than death itself would be. But now, when a slave of the prosecutor is being examined against the defendant, is it possible that the truth should be discovered? Just consider; 60 what sort of an examination was it? What was it like? 'Now then, Rufio,'—any name will do,—'take care you tell no lies. Did Clodius intend to murder Milo?' 'He did.' 'You will certainly be crucified,' 'He did not.' 'You may hope for your freedom.' What could be more positive than an examination of this kind? Slaves when suddenly arrested for examination are kept apart from the rest and thrown into cells for fear any one should be able to communicate with them. These persons, after having been three months in the hands of the prosecutor, have been brought up from the prosecutor's own house. Can you mention anything more honest, more entirely above suspicion than an investigation of this character?

XXIII But if you do not yet see to your satisfaction, though
61 the facts of the case emerge conspicuously from the numerous clear inferences and probabilities I have detailed to you, if you do not see that Milo's heart was pure and upright, his hands unstained by crime, and his conscience unalarmed and undismayed by any sense of guilt, when he returned to Rome, then recall to your minds, I adjure you, the rapidity with which he returned, the manner in which he entered the forum when the senate-house was burning, remember his lofty spirit, his looks, and his language. He sur-rendered himself indeed not only to the people but to the senate as well, and not only to the senate but to those enrolled to protect the public safety, and not only to them but also to the authority of the eminent person, to whom the senate had intrusted the whole government, the whole of the Italian levies, the whole military force of Rome: and to him my client would never have delivered himself, unless he was confident in his case, especially when that person was influenced by numerous reports, by considerable apprehensions, by many suspicions, and by a certain amount of readiness to believe the worst. Great is the power of conscience, gentlemen, and equally strong in two directions: it frees from fear those who have not transgressed; and it keeps the prospect of punishment
62 ever before the eyes of those who have sinned. Nor is it without a definite reason that Milo's cause always commended itself to the senate: the senators, as really sensible men, saw the explanation of his deed, his presence of mind, and the persistency of his defence.

Or can you have forgotten, gentlemen, the rumours and surmises circulated not only by Milo's enemies but even by some inexperienced people as well, when the news of Clodius's death was still fresh? People said that he would not return to Rome. If they took 63 the view that he was driven by rage and excitement to murder his enemy in a transport of hatred, they supposed that his satisfaction at the death of P. Clodius would induce him to quit his country calmly, after having glutted his hatred with his enemy's blood: or if they supposed that he had simply wished to deliver his country from slavery by killing Clodius, they thought that as a brave man he would not hesitate to retire calmly after securing safety for Rome by his own peril, to carry with him into exile undying fame and leave us to our enjoyment of the blessings which he had preserved for us. Many went so far as to talk of Catilina and of those horrors; 'he will break out of Rome, he will seize some stronghold, he will make war upon his country.' Ah! how wretched sometimes are citizens who have eminently benefited their country, in dealing with whom men not only forget their most distinguished services, but even suspect them of dark and evil deeds! But the event has shown that 64 all those anticipations were false, though they certainly would have turned out to be true, if Milo had done anything which he could not defend with truth and honour. Again, take the charges which were after- XXIV wards heaped upon him, charges which would have overwhelmed any one conscious of even a moderate amount of guilt, how he bore them! Merciful heavens!

Bore them? No! how he despised them, how he put them away from him! And yet they were charges which could not have been despised by any guilty man however great his courage, nor by any innocent man, if he had not been extremely brave. Information was laid that a great quantity of shields, swords, harness, and javelins could be seized; it was said that there was no street or alley in which some house had not been taken for Milo; that weapons had been conveyed down the Tiber to his house at Oericulum, that his town-house on the Capitol slope was crammed with shields, that every place was stored with hand-grenades for firing the city. These charges were not only laid but nearly credited; and they were not rejected without some investigation.

- 65 For my part I was ready to commend the extraordinary watchfulness of Cn. Pompeius; but I will speak as I feel, gentlemen. Statesmen to whom the whole government has been intrusted, are compelled to listen to too many reports; they cannot do otherwise. Audience had actually to be given to some fellow from the Circus Maximus, a sacrificial butcher called Licinius, who brought a story that Milo's slaves, when drunk at his house, had confessed to him that they had formed a plot to kill Pompeius, and that one of them had subsequently stabbed him, for fear he should give information. He carried this tale to Pompeius at his pleasure-grounds; I was one of the first persons summoned to hear it; on the advice of his friends Pompeius brought the matter to the notice of the senate. I could not be anything but panic-stricken at

an incident which the great preserver of me and my country thought so suspicious; but I own I was amazed that the butcher was believed, that his story of what the slaves had let out was listened to, and that the wound in his side, which looked a mere pin-prick, was taken to be the blow of a professional bravo. But, as I 66 understand, Pompeius was showing caution rather than fear, and not only with reference to what was really formidable, but about everything, to banish all fears from your minds. A report was brought that my distinguished and gallant friend C. Caesar's house had been attacked for several hours during the night. No one had heard any noise, though the locality is much frequented; no one had noticed anything: nevertheless the report was listened to. I could not suspect timidity in so eminently brave a man as Cn. Pompeius; since he had received the charge of the whole government, I did not consider any watchfulness excessive. At a very full meeting of the senate in the Capitol not long ago, a senator ventured to assert that Milo was armed: Milo stripped off his toga in that consecrated building, demonstrating his innocence by that act without a word, since no faith was reposed in his lifelong virtue and patriotism.

All the charges made against him have been found XXV to be false and malicious inventions. And yet, if 67 there is even now any fear of Milo felt, it is not this charge connected with Clodius for which we fear him; it is you, Cn. Pompeius,—for I call upon you and in a tone so loud that you can hear me—it is your

suspicious, yours, I repeat, that affright us. If you are afraid of Milo, if you suppose that he ever plotted or is now meditating any criminal attempt on your life, if the Italian levies, as some of your recruiting sergeants have often stated, if these armed men, if the companies on the Capitol, the guards and sentries, the band of young men which protects your person and your house, have all been furnished solely to repel the attacks of Milo, and if all these precautions have been devised, prepared, and held in readiness against him and him alone, then great must be the force, and amazing the courage, and far above the power of one man the strength and resources which are thereby pronounced to be his; if indeed it is really to cope with this one man that our most illustrious general has been selected and our whole state put under arms.

- 68 No! every one knows well that to your care were committed all the departments of the state which are weak and infirm, that you might reinvigorate and sustain them with these armed forces. And if Milo had been allowed the opportunity, he would certainly have convinced you, that no man was ever dearer to another man than you are to him; that he had never shrunk from any peril for the maintenance of your high position; that he had often taken the field against that foul monster to secure your fair fame; that as tribune he was guided by your wishes to the work of restoring me, an object which was very dear to you; that he was himself subsequently defended by you in a case involving his civil rights, and supported by you when he was standing for the praetorship; that he

believed that he had gained two very firm friends, you because you benefited him, and me because he benefited me. But if he did not convince you of this, if that unworthy suspicion had struck so deep a root in your breast that it could not be wrenched out by any means, if Italy was never to rest from being harassed by levies and Rome by armed men, till Milo had been ruined, then, in truth, he would without hesitation have quitted his native land, being the man he is by nature and by habit: but, Magnus, he would still appeal to your knowledge of him, as he does even now. Reflect how varied are the changes and chances XXVI of our mortal life, how fleeting and fickle a dame is 69 Fortune, what faithlessness is shown by friends and what time-serving hypocrisy, how soon our nearest and dearest desert us in time of peril, what cowardice they show! There will come, there will surely come a time, and a day will dawn, when you, personally prosperous, as I hope, but perhaps not unaffected by some general convulsion of society,—and how often these occur we ought to know by bitter experience,—may look in vain for the most generous friend and the most loyal adherent and the most gallant and high-minded man that the world has ever seen. And yet 70 who would believe that Cn. Pompeius, versed above all men in public law and ancient precedent and in the Roman constitution, having received from the senate the commission to provide that no harm befall the commonwealth,—a formula which has always been a sufficient weapon for the consuls even when not intrusted with an army,—who would believe, I say,

that such a man, having been granted an army and a levy, would have waited for the verdict of a jury before punishing the plots of one who was attempting to forcibly abolish trial-by-jury itself? It was quite distinctly pronounced by Pompeius that those charges brought against Milo were false, quite definitely, I say, when he brought in the bill, under which, in my opinion, Milo ought to be, and, as all admit, can be, 71 acquitted by you. And the fact that Pompeius sits yonder and is surrounded by the forces of the state guards, is a clear proof that he is not terrorising you—nothing could be more unworthy of him than to compel you to convict a man, against whom he could proceed himself either in ordinary form or by his own special powers,—but protecting you and letting you understand that you may, in spite of the mass-meeting held yesterday to overawe you, give a free verdict expressing your real opinions.

XXVII Nor indeed am I, gentlemen of the jury, greatly 72 disturbed by the charge which relates to Clodius; nor am I so infatuated and so wholly ignorant of your real feelings as to have any doubt as to how you feel about Clodius's death. And as to this, even if I did not now choose to refute the charge in the way in which I have refuted it, Milo might still without fear of the consequences publish his deed abroad and glory in a falsehood. 'I have slain,' he might say, 'I have slain, not a Spurius Maelius, who for lowering the price of corn and for dissipating his private means, was judged to be courting the common people over much, and so incurred suspicion of aiming at regal power; not a Ti.

Gracchus, who deposed his colleague from his office by unconstitutional means ;—and the men who slew them made the world ring with their famous names ;—but I have slain a man,'—yes ! he would dare to say this after having freed his country at his own peril,—‘a man whose outrageous adultery, profaning the most sacred festal couches, was detected by ladies of the highest rank : the man on whose punishment 73 the senate often resolved for the purification of the hallowed rites he had outraged : the man whom L. Lucullus at a family investigation swore that he had discovered to have committed incest with his own sister : the man who drove into exile by the violence of his armed slaves that citizen whom the senate, the people of Rome, the whole world had declared the preserver of Rome and Roman lives : the man who gave and took away kingdoms, and divided the world with whomsoever he pleased : the man who, after repeated bloodshed in the Forum, compelled by armed violence a Roman citizen of exceptional valour and renown to take refuge in his own house ; the man who never found anything too criminal for his violent and licentious passions : the man who fired the Temple of the Nymphs in order to destroy the public record of the censors’ revision which was engraved on the state-registers : the man in short who regarded no law, 74 no civil code, no boundaries of property, who did not resort to legal chicanery, to dishonest titles and fabricated claims in appropriating his neighbour’s lands, but to camps, armies, and pitched battles ; who attempted to eject from their property by a regular campaign not

only the Etruscans—he had utterly despised them—but even our excellent and gallant friend here, P. Varius, who is serving on the jury ; who inspected the country houses and grounds of many persons with his builders and surveying rods ; who set the Janiculan hill and the Alps as the only limits to the domains he hoped to secure ; who having failed to obtain from the illustrious and gallant Roman knight, M. Paconius, his demand that he would sell him his island in the Prilian Lake, forthwith conveyed in punts to the island timber, lime, stones, and tools, and though the owner was watching the proceedings from the opposite bank, did not scruple to erect a building on another man's

75 ground ; who in the case of our friend here, T. Furfanius, an excellent man, I protest,—need I refer to the poor woman Scantia or to the youthful P. Apinius ? He threatened both of these persons with death, unless they gave up to him the possession of their gardens,—but I must mention that he dared to tell Furfanius, that if he did not give him the full sum of money he had demanded, he would convey a corpse into his house, and so excite a scandal which would ruin our worthy friend ; who deprived his brother Appius, a man to whom I am bound by the strongest ties of gratitude, of the possession of an estate, while he was absent ; who commenced a plan for building a wall across his sister's courtyard and drawing the line of it in such a way as to deprive his sister not only of her courtyard but of all approach and access to her house.'

XXVIII However all these performances were coming to

76 seem endurable, although he was making his attacks

impartially on the state and on private individuals, on distant and on near, on strangers and on his own relations; in some way or other our amazingly long-suffering country had grown callous and insensible. But the outrages which were threatening us and just impending, how would you have been able either to check them or endure them? If he had obtained magisterial power, I say nothing of our allies, of foreign states, kings, and tetrarchs; you would have been praying that he might make a raid on them rather than on your own properties, houses, and purses; purses do I say? nay, your children, I protest, and your wives would never have been safe from his unbridled passions. Do you think these designs imaginary, when they are manifest, when they are generally known, when they are proved to have existed? Is it a fiction that he would have raised armies of slaves in Rome, and by their help possessed himself of the whole government and the private property of us all? And therefore if 77 T. Annius were to brandish his bloody sword and exclaim, 'Come hither, fellow-citizens, and hear my words. I have slain P. Clodius; his reckless passions, which no laws of ours, no courts could ever hold at bay, with this sword and this right hand I have torn from your throats, so that to me you owe and to me alone the retention in this state of ours of justice and equity, law and liberty, decorum and decency;' he would have to feel apprehensive, I suppose, as to how Rome would treat his appeal! At the present moment who is there who does not commend and applaud him, who does not say and feel that T. Annius is the one man

who has most greatly within living memory benefited his country and most truly rejoiced the Roman people, the whole of Italy, and every nation in the world? I cannot determine the extent of the rejoicings shared in ancient times by the people of Rome; but our own age has seen even now many very famous victories won by our most brilliant generals, and none of those victories caused a joy so lasting and so
78 profound as this. Let this sink deep into your hearts, gentlemen of the jury. I trust that you and your children will yet see many good days in Rome; but while you enjoy them, you will ever reflect that had P. Clodius lived, you would never have seen any of these blessings. We have been led to entertain the highest and, as I anticipate, the most certain expectations that this very year under the direction of this eminent man as sole consul, by the repression of lawlessness, the defeat of evil passions, the safe establishment of law and order, will be a year of recuperation to our country. But is there any one so infatuated as to suppose that any of these expectations could have been realised, if P. Clodius had lived? Or let me ask with reference to your personal and private possessions, what right of secure tenure could you have retained in them, if that reckless man had established his despotic sway?

XXIX I am not apprehensive, gentlemen, of being thought to be heaping these charges on Clodius with more zest than truth because I am inflamed by private animosity towards him. In fact, even if my hatred of him was bound to be exceptionally bitter, still he was so far the general enemy of all men, that my hatred was not

much above the level of the general hatred felt against him. No one can adequately describe, no one can even imagine, the amount of villainy and destructiveness of which he was capable. Nay, let me 79 ask your attention to this point, gentlemen. This inquiry, of course, is an investigation into the circumstances of P. Clodius's death. Now imagine—our imaginations are free, and contemplate what they choose exactly as we distinguish the objects which pass before our eyes—place before yourselves in imagination this alternative which I propose; suppose that I could induce you to acquit Milo, but only on condition that P. Clodius should return to life. What means this sudden panic in your looks? How do you think he would make you feel if he lived, when the bare thought of him, though he is dead, has filled you with affright? Or again, if our great Cn. Pompeius, whose valour and success is such that things have always been possible to him which are not possible to any one else, if he, I say, could have either arranged an inquiry about P. Clodius's death or else recalled him from the shades, which of the two alternatives do you think he would have adopted? Even if from motives of private friendship he was likely to wish for his restoration to life, for the sake of Rome he would not have brought it to pass. You are sitting here, then, to avenge the death of a man, whose life you would not wish to restore, if you thought you had the power; and an inquiry has been provided into the death of a man so dangerous that if the bill for the inquiry could have recalled him to life, that bill would never have

been passed. If then Milo had in fact slain this man intentionally, and avowed his act, would he really apprehend punishment from the very men whom he had freed?

- 80 The Greeks pay divine honours to the heroes who killed their tyrants. I remember what I have seen at Athens, and in other cities of Greece, the deification of such men, services and hymns in their honour! They are venerated with little short of the worship and eternal remembrance which is paid to the immortal gods. And will you in dealing with this man who has preserved so great a nation and punished so wicked a criminal, will you not only refuse to honour him, but even allow him to be haled away to execution? He would acknowledge, he would acknowledge, I say, if he had done the deed, with courage and goodwill, that he had done, to secure the freedom of all, a deed which rightly he ought not merely to acknowledge, XXX but even to publish abroad. In point of fact if he
- 81 does not now deny a deed for which he claims nothing but pardon, would he hesitate to avow an act for which he ought to claim the meed of praise? Unless indeed he supposes that you view with more gratitude his preservation of his own life than his defence of your lives; particularly as by making that avowal of his deed, if you chose to show any gratitude, he would secure the most distinguished honours. If what he did were not regarded with favour by you,—though how can any one regard his own preservation with disfavour?—but still if the valour of this most gallant man should have failed to meet with gratitude from

his fellow-citizens, he would bravely and undauntedly withdraw from a country ungrateful for his services; could anything justify the reproach of ingratitude more than that amid the general rejoicing he alone should be in misery to whom the general rejoicing was due? Although it is true that we have all felt always 82 when crushing traitors that, since the possible fame would be all our own, so the possible danger and unpopularity must be looked upon as ours also. What credit indeed would be due to me for all that I dared as consul to protect you and your children, if I had been supposing that I should dare what I was attempting to do, without extreme and critical risk to myself? What weak woman would not dare to slay a criminal and baneful citizen, if she had no risk to apprehend? But it is the man who realises the possibilities of unpopularity, death, and punishment, and yet defends his country with undiminished ardour, who is really to be held a hero. A grateful people should heap rewards on citizens who have served the state well; a brave man should not be so agitated by the possibility of reprisals as to regret having acted with bravery. And 83 therefore T. Annius would avow his deed in the same spirit as Ahala, Nasica, Opimius, Marius, and ourselves; and if his country were grateful, he would be delighted; if ungrateful, he would still in his hard lot be upheld by his own sense of rectitude.

But the gratitude which is due for this benefit, gentlemen of the jury, is claimed by the Fortune of Rome, by the good-luck of your own generation, and by the Immortal Powers. Nor can any one entertain

any other opinion, unless he is one who holds that there is no divine force or providence, who is not impressed by the greatness of our rule, or by yon glorious sun, or by the movements of the heavenly bodies, or by the regular succession of the seasons, or even by what is most impressive, the wisdom of the good men of old, who honoured most religiously and handed down to us their children these sacred rites and ceremonies and
XXXI religious observances. But there exists, assuredly
84 there exists, a Divine Power ; nor is it conceivable that there is in these frail bodies of ours an active and sentient principle, and none in the vast and magnificent operations of nature. Unless perhaps men think it does not exist because it is not seen and distinguished by our eyes ; as if indeed we could see or perceive by the senses the nature and position of that mental faculty which gives us knowledge and foresight and the power of action and speech at the present moment. It was that divine power then, the same power which has often conferred amazing successes and benefits on Rome, which crushed and trampled on that deadly monster, seeing that it first inspired him with the idea of daring to irritate by violence and openly challenge the bravest of men, and thus receive a defeat from the one man, the conquest of whom would have secured
85 him a perpetual licence and immunity for crime. No human policy, nor even any ordinary care, gentlemen, on the part of Providence, perfected that design : the sacred powers, I protest, near whose visible habitations the monster fell, must have aroused themselves and asserted their rights in punishing him. For to you

now, ye hills and groves of Alba, to you I appeal and call, and to you, ye ruined altars of the Albans, as sacred and as old as the holy places of the Roman people, ye altars whom Clodius in his headlong madness, after cutting down and laying low the most sacred groves, had smothered with his crazy foundation-works, it was your sanctity, yours, which then had strength, your power prevailed, which he had profaned with every kind of crime; and thou from thy lofty mount, holy Jupiter of Latium, whose lakes, and groves and precincts Clodius had stained with every sort of abominable outrage and crime, thou didst at last awake to punish him. By all of you were those penalties exacted, by all of you and in your sight, penalties deferred indeed but justly deserved and long due. Unless we are to pronounce even this an accident, 86 that it was actually in front of the chapel of the Bona Dea, which stands on the land of T. Sergius Gallus, a most honourable and brilliant young man, actually in front of the Bona Dea, I say, that after commencing the engagement he received that first wound, by which he met his horrid death, to make it clear that he was not really acquitted at that scandalous trial long ago, but merely reserved for this exemplary punishment. Nor XXXI can it have been any influence but that of the same offended powers which inspired such frenzy in his minions that without his ancestral images, without music or games, without funeral rites, without mourning, without panegyrics, without a bier, daubed with gore and mud, and robbed of the crowded attendance at that final scene, with which even enemies never

interfere, he was cast out and charred in the street. It was not permitted, I suppose, that any lustre should be conferred on that horrid traitor by the images of his distinguished ancestors, or that his dead body should be torn to pieces anywhere but in the place in which when living he had been convicted of crime.

- 87 Hard indeed, I protest, hard and cruel I long thought the fortune of the Roman people, when for so many years Clodius was suffered to trample on our country. He had outraged by his licentiousness the most sacred ceremonies, he had broken his way through the most deliberate decrees of the senate, he had openly purchased his acquittal from a jury, as tribune he had persecuted the senate, he had rudely rescinded measures taken with the consent of all the classes for the preservation of the state, he had exiled me from my native land, plundered my property, burnt my house, and persecuted my wife and children, he had declared an unholy war on Cn. Pompeius, he had shed the blood of magistrates and private citizens, he had burnt my brother's house, he had ravaged Etruria, he had ejected many persons from their homes and possessions; he was pushing on and pressing forward; Rome, Italy, our provinces, our dependencies could not contain his reckless frenzy; at his house bills were already being engraved for publication which were to deliver us over to the mercy of our own slaves; no one had anything on which he had set his fancy, which he did not think would be his during the
- 88 coming year. There was no obstacle to his designs, but the valour of Milo: that eminent man, who could

be a real obstacle, he considered to have had his hands tied by the recent reconciliation; Caesar's influence he boasted was under his own control; he had shown his contempt for the courage of the party of order when I was ruined; Milo alone was pressing him hard. At this point Providence, as I have said XXXIII before, incited his abandoned and reckless mind to attempt the murder of my client: there was no other possibility of putting an end to the plague: the state would never have requited him by the authority of the laws. The senate, presumably, would have curtailed his power for mischief as praetor. Well! even when the senate often tried to check him, it had not been able to effect anything, though he was then in a private position. Or perhaps the consuls would have 89 shown some spirit in restraining the praetor? Well! in the first place, if he had killed Milo, he would have had his nominees as the consuls: secondly, who would have dared to be brave as consul when dealing with a praetor, who when tribune, as would be remembered, had most cruelly persecuted a meritorious ex-consul? He would have crushed all opposition, he would have been seizing and controlling everything; by his new bill he would have turned our slaves into his freedmen; and finally, unless Providence had instigated him to try to kill with his puny hand a man of the greatest valour, you would not to-day be in possession of any relic of constitutional government. Or would he as 90 praetor, and as consul at a future date, if indeed these temple walls had been able to stand so long while he lived and await the year of his consulship, would he in

short if he had remained alive have wrought no evil, when even after death he has burnt the senate-house by the hand of one of his minions? What more grievous, afflicting, and lamentable spectacle have we ever seen than this? The sanctuary of religion, of nobility, of wisdom, of statesmanship, the centre of Rome, the refuge of the allies, the asylum of the world, the habitation granted to one order by the whole people, set on fire, razed to the ground, and desecrated, and all this ruin wrought not by an ignorant mob, though that would be grievous enough, but by one wicked man? And since he has dared so much in disposing of the body of the dead Clodius, what would he not have dared if he had been bearing the standard of the living Clodius? He cast him into the senate-house purposely, that the flames of his pyre might consume the place which he, while still alive, had
91 wrecked. And yet there are men who bewail the desecration of the Appian Road, but say no word about the senate-house! and who think that the Forum could have been guarded against his living and breathing form, though the Senate-house could not keep out his corpse! Raise the man then, raise him, if you can, from the dead; will you repulse the onslaught of the living man, when you can barely endure the violence of the fiends that attend his unburied corpse? Or am I to believe that you did endure the outrages of those men who hurried to the Senate-house with firebrands, and with pickaxes to the Temple of Castor, who swarmed with swords in every part of the Forum? You saw the Roman people cut down, you saw a meeting broken

up by swordsmen, when a silent hearing was being given to the tribune M. Caelius, a man of eminent bravery in politics, of extreme firmness in any cause he has espoused, devoted to the wishes of the party of order and to the deliberate desire of the senate, and in Milo's present position, whether of exceptional unpopularity or of singular good-fortune, a man who has shown amazing and superhuman loyalty.

I have now said enough about my case, perhaps even XXXIV
more than enough on points outside the case. Is there 92
anything left for me to do but to beg and implore you, gentlemen of the jury, to extend to my brave client the mercy for which he does not sue, but which I in spite of his reluctance do ask and claim? And so, if in the midst of the tears we all shed, you have seen no tear on Milo's cheek, if you see his look as high, his voice and language as firm and unmoved as ever, do not be the less inclined to pardon him: I almost think you should be much the more inclined to assist him. For if in those gladiatorial combats which involve the lives and fates of only the meanest of mankind, we usually look with positive dislike on those who are cowardly, and who cringe and beseech to be allowed to live, while we are anxious to preserve those who are brave and spirited and resolutely prepare to meet death, and if we pity those who do not appeal to our mercy more than those who shriek for it, ought we not even more rightly to feel thus when dealing with the bravest of our fellow-countrymen? I personally, gentlemen, am 93
dispirited and disheartened by such expressions as these which I hear from Milo continually and which

he uses in my presence every day. 'Let me bid farewell,' he says, 'farewell to my fellow-citizens: may they be safe, may they be prosperous, may they be happy! May this famous city abide and my dear country, ever most dear, however she may have treated me. May peaceful government be enjoyed by my fellow-citizens, without me, since I may not enjoy it with them, but still as the result of my efforts. I will retire and quit the scene: if I am not allowed to share the security of a well-ordered state, I shall be spared the sight of disorder; and as soon as I reach a well-regulated and free community, there I will seek
94 repose. Alas!' he says, 'for the toils undergone in vain! alas for the deceptiveness of my hopes and the emptiness of my imaginings! When I was tribune of the plebs, and in the hour of my country's need had devoted myself to the senate, which I had found trampled on, to the knights of Rome, whose strength was impaired, to the party of order, who had surrendered all their privileges at the bidding of Clodius's armed men, how could I suppose that I should ever lack the protection of orderly citizens? And when by my exertions you'—for he often addresses me,—'when you had been restored to Rome by me, how could I suppose that I should one day be denied a place in Rome? Where now is the senate, whose policy we followed? Where are the Roman knights,' he says, 'your noble order? where are the enthusiastic boroughs? Where the applauding Italians? Where, where, M. Tullius, your oratory and your advocacy, which have assisted so many? Am I alone,

who have so often faced death for you, to derive no help from your pleading?’

And these sentiments he does not utter, as I XXXV do now, with tears, but with the same unmoved 95 countenance, which you see before you. For he denies, he refuses to believe, that the fellow-countrymen, for whom he has done what he did, are ungrateful; that they are timid and ready to scent danger everywhere, he does not deny. As to the common people and the low rabble of the city, which, when led by P. Clodius, threatened your properties, he reminds you that for the better preservation of your lives, he not merely daunted them by his bravery, but even mollified them by spending on them three inherited estates; nor is he afraid, after having conciliated the people by his public shows, of having failed to secure your favour by his singular services to the state. The senate’s good-will towards him, he says, has often been demonstrated at this very crisis; the advances made, the enthusiasm shown, the expressions used by you and men of your orders, he says, he will carry away with him in memory, wherever fortune directs his steps. He remembers too that the herald’s 96 proclamation was the one thing required to make him consul, and for this he cared little; while he was practically elected consul by the people’s unanimous vote, which was the only thing he desired. And he knows that even now, if all this is likely to go against him, it is the suspicious dread of what he may do, and not the accusation for what he has done, which does him harm. He adds this reflection, without doubt a true one, that

brave and wise men are wont to pursue not so much the rewards of right action, as the right actions themselves; that he has never in his life acted but with distinction, at least if there is nothing more distinguished than to free one's country from perils; that those men are happy, who have been honoured for their conduct by their countrymen, but that they are not altogether unhappy, who have surpassed their
97 countrymen in generous deeds. But still, he maintains, of all the rewards of virtue, if rewards are to be taken into consideration, the most noble is the meed of fame; it is Fame alone which compensates us for the shortness of life by the thought of the remembrance of future generations, which makes us dear to memory though lost to sight, and ever living though long dead; fame in short is the ladder by which men seem to
98 mount even to heaven. 'Of me,' he says, 'ever will the Roman people, ever will the whole world talk; never will any future age forget the sound of my name. At this very moment, when my enemies are using every means to fan the flame of prejudice against me, still wherever men consort, I am the object of gratitude and congratulation and the theme of conversation.' I say nothing of the thanksgivings that the Etruscans have held and intend to hold: it is a hundred and two days, I believe, from the death of P. Clodius: and already to the farthest bounds of the empire of Rome there has spread not only the report of his downfall but even the joy which it has caused. So, 'where my body may be,' says Milo, 'I care little, since all lands are even now

entertaining, and will ever cherish the renown of my name.'

Such words have you often used in speaking with XXXVI
me, Milo, but now, when the jury can hear me, as they 99
could not then, I address the following words to you.
'Your character, since such is your spirit, I cannot
sufficiently commend; but the more godlike your
virtue is, the greater the pain which I suffer in being
torn from you. Nor, if you are snatched from my em-
brace, have I the consolation of being able to complain,
of expressing my indignation against those who will have
struck me this heavy blow. It will not be my enemies
who will rob me of you, but my warmest friends, not
those who have at some time injured me, but those who
have at all times shown me kindness.' Never, gentle-
men, will you inflict on me so grievous a sorrow; and yet
can any sorrow be as grievous as this? Yet never will
this sorrow afflict me so deeply as to make me forget
how much you have always valued me. But if you
have so far forgotten the past, or have been offended
at anything in my conduct, why is your displeasure not
visited upon me rather than upon Milo? I shall con-
sider my life an illustrious one, if anything happens to
me before I behold this dire calamity. Now I am 100
supported only by the thought that I have never failed
to render you, T. Annius, every possible service which
affection, devotion, or gratitude could demand. I have
courted the hostility of the powerful for your sake; I
have often exposed my person and life to your enemies'
swords; I have for you cast myself at the feet of many
a man; I have contributed my property, my whole for-

tunes and those of my children to aid you in your hour of need ; and finally on this very day, if any violence is meditated, if there is to be any critical struggle for life, I claim to bear the brunt of it. What more is there ? what is there that I can do to repay your services to me but reckon as mine whatever fortune shall be yours ? I do not refuse, I do not repudiate the claim ; and I adjure you, gentlemen, to remember that you may increase by acquitting my friend or see wasted in all probability, if you condemn him, the benefits which you have in past years conferred on my unworthy self.

XXXVII Milo is not affected by these tears—his strength of
101 mind is amazing : his opinion is that a man is not exiled unless he is where virtue cannot find room ; that death is man's natural end and not a punishment. In this he shows the principle which is his by birth ; but what of you, gentlemen ? what temper will you show now ? Will you preserve Milo in memory, and exile him in person ? will you suffer there to be any spot on earth more worthy to be the home of so much virtue than this soil which produced it ? I appeal to you, to you, ye gallant men, who have often shed your blood for your country's weal ; I appeal to you, officers, and to you, soldiers, in the hour of danger to this invincible hero, this invincible patriot. You are not mere idle spectators, but you are armed and you are here to protect this court ; and will you allow this valiant man to be exiled, banished, violently expelled from
102 this city ? Wretched and unhappy indeed is my own destiny ! You could recall me to my native land, Milo,

by the help of our friends here, and shall I not have the power to retain you in your native land by their favourable verdict? How shall I answer my children, who regard you as a second father? How shall I answer you, my absent brother Quintus, who shared my disasters then? Shall I say that I could not protect Milo with the help of these men who had helped him to protect me? And if I am asked what sort of cause it was in which I could not protect Milo, I must reply that it was in one acceptable to all the world. And if I am asked who were trying Milo then, I must reply that they were the men who were most relieved by the death of P. Clodius. And I must further confess that Milo's defender before them was none other than myself. Oh! what guilt did I incur, what crime 103 did I commit, gentlemen, when I unravelled and laid bare, brought to light and trampled out that infamous trial,¹ which would have wrought universal havoc? The torrent of woes which has swept down upon me and mine springs from that source. Why did you choose that I should be recalled? Was it that I might witness the banishment of the friends to whose efforts I owed my restoration? Do not, I beseech you, make my return from exile a greater grief to me than even my departure from Rome? How can I ever consider myself really restored, if I am torn from the embrace of the friends who restored me? Would that it had XXXVIII been heaven's will,—pardon me, my country, if, in expressing my gratitude to Milo, I utter anything which is

¹ The Bona Dea affair; or if we read *indicia*, the reference would be to the Catilinarian conspiracy.

treason to thee,—would that P. Clodius were alive, that he were even praetor, consul, or dictator, if so I might
104 be spared this sight! By heaven, it is a brave man, it is a man whom you, gentlemen, must preserve! ‘No, no,’ he says, ‘Clodius indeed has been rightly punished; let that console me. Let me, if so it must be, submit to punishment which is undeserved.’ Ah! shall this hero born to serve his country expire in any other country than his own, or, as it may be, in his country’s service? Will you continue to retain so much that reminds you of his courageous soul, and yet refuse his body a grave in Italian soil? Will you by your several votes banish from this city this man whom all
105 cities will invite when banished by you? Happy indeed the land which welcomes this hero! ungrateful were Rome to expel him, and wretched to lose his services! But let this suffice! I cannot speak any longer for tears, and Milo does not allow me to use my tears for his defence. I beg and implore you, gentlemen of the jury, in giving your verdict, to have the courage of your convictions. Your virtue, justice, and conscientiousness will, I assure you, be approved by no one more sincerely than by him who, when he was selecting the jury, was careful to choose the best and wisest and bravest men in Rome.

M. TULLIUS CICERO'S SECOND PHILIPPIC
AGAINST M. ANTONIUS.

TO what strange fatality in my life, my lords, am I I
to ascribe the fact that no traitor has for these I
twenty years molested my country who has not imme-
diately declared war upon me? I need not mention
the names of individuals; you can recall them easily for
yourselves. The rest for their violence towards me have
suffered even more severely than I might wish; and as
to you, Antonius, I marvel that while you imitate their
conduct, you do not apprehend the same fate. Moreover
the enmity shown towards me by some others was less
surprising; none of my former foes assailed me of his
own accord; I had myself provoked all those attacks in
my efforts to serve my country. But you, though I have
never uttered a single word which could have irritated
you, to prove yourself more violent than Catilina and
more reckless than Clodius, have chosen to provoke
me by scurrilous language, imagining, I presume, that
your estrangement from me will be your surest recom-
mendation to the disloyal among our fellow-countrymen.
What am I to think? that I myself am despicable? No, 2
I cannot see anything in my private life, or in my in-
fluence, or in my political career, or in my abilities,
moderate as they are, which can properly be despised by

an Antonius. Or did the man believe that the senate would be the best audience before which to disparage me? No, this noble house in complimenting the most illustrious Romans has declared its recognition of good government in many cases, but to me alone has it rendered thanks for the ^{salvation of the state} preservation of order. Or is it possible that he wished to institute an oratorical contest between us? This is generosity indeed! Could any man have a richer, an ampler theme than I should enjoy if I had to speak for myself and against Antonius? No, there was only that one reason; he did not see how to convince his party that he is the enemy of Rome, unless he made a demonstration of his hostility to me.

3 So before I answer him on the other matters, I will say a few words about the breach of friendship of which he accuses me,—to my mind a really serious accusation.

II His complaint is that on some occasion not specified I appeared in a case against his interests. Was I, then, not free to appear against a stranger on behalf of an intimate personal friend? Was I not free to appear against one who had secured support not because he was a young man of moral promise, but because he had sold his good looks? Was I not free to appear against the unfair advantage which Antonius had maintained by the help of an unscrupulous interference and not by due course and administration of the law? No, Antonius, I imagine you have chosen to bring this case again into notoriety, as a method of recommending yourself to the lowest classes, though no one needs to be reminded that you married a freedman's daughter

and that children begotten by you are the grandchildren of Q. Fadius, whose father was once a slave. Or again I am told that you had put yourself under my tuition—at least those were your own words; I am told that you had frequented my house. True it is that if you had indeed done that, you would have done more for your reputation for honesty and morality. But you never took such a step; nor, had you been anxious to come to my house, would your friend C. Curio have permitted you.

Another statement of yours is that you retired in my 4
favour when we were standing for the augurship. How amazing is your impudence! how deserving of exposure your effrontery! The truth is that when Cn. Pompeius and Q. Hortensius nominated me for the augurship at the request of the whole board of augurs (not more than two nominators being permissible by law), you were actually insolvent, and were supposing you could not escape bankruptcy but in a general crash. Were you then really in a position to stand for the augurship, when C. Curio was absent from Italy? And on the later occasion, when you were elected augur, would you have been able to carry a single tribe without Curio's aid? As it was, some of his personal friends were convicted of riot, for having supported your claims with too much zeal.

Or again, I availed myself of your kind assistance. III
When was that? Though I am sure I have always 5
acknowledged the particular service which you mention. I have preferred the imputation of being indebted to you to the risk of being thought ungrateful by persons

of shallow judgment. But what was this 'kind assistance'? Do you refer to your kindness in not killing me at Brundisium? Were you really free to kill me, when the victorious general, who, as you yourself often boasted, had chosen you out of his gang to be captain, not only wished to see me safe but had even ordered me to proceed to Italy? Well, suppose you had been allowed. What, my lords, is the kindness of a brigand, unless it is the being able to state that he has granted the lives of those whose lives he has not taken away? Were this a kindness, then those who murdered the great man who had once spared their lives, those men whom you generally term illustrious heroes, would never have obtained such renown as they have. But what is the value of a kindness which consists in having kept yourself from an atrocious crime? In this matter it should be rightly not so much a cause for joy to me that I was not murdered by you as a humiliation that you would have been free to
6 murder me with impunity. But supposing it to have been a kindness (and it is true that a brigand could not confer anything more worthy of the name), in what particular can you charge me with ungrateful conduct? Was I bound to stifle my anguish at the death-throes of Rome, for fear of being thought ungrateful to you? Surely not; and yet when I expressed my anguish in terms which were indeed sad and woeful but demanded by the position in which the senate and people of Rome has placed me, did I ever use any expression which implied an insult? any expression that was immoderate? any that was unfriendly? Nay,

consider what forbearance it showed to refrain from abusive language when I was deploring the conduct of M. Antonius, and that at a time when you had squandered the last penny of the public funds, after you had instituted a degrading traffic at your house for the sale of anything and everything, when laws which had never even been published for inspection were being acknowledged by you as having been made by and for yourself alone, after you had annulled the auspices as augur and used your position as consul to annul the tribune's veto, when you had committed the outrage of surrounding your person with armed men, when you were daily in your immodest home engaged in every kind of indecency, though yourself worn out by debauchery and drunkenness. Yet, as if I were contending with M. Crassus, 7 with whom I had in the past many serious differences, and not with a single vile cut-throat like this man, while I expressed my deep grief for the state of Rome, I said no word about the individual; but I will make him clearly understand to-day, what 'kindness' he received from me then.

Again, the letter which Antonius said I sent him, IV was read out to you by him with his usual want of breeding and his usual ignorance of the decencies of society. Did any man,—any one at least even slightly acquainted with the habits of gentlemen,—ever produce and read in public a letter sent him by a friend, because some difference had subsequently arisen between them? To do this is to rob the living of the possibility of social life, and to deprive us of

the means of communicating with our absent friends. Consider how many jocose remarks we make in letters, which would seem silly, if they were to be published ; consider how many serious remarks there are, which
8 are not however intended for publication ! But let us attribute this lapse to your ill-bred habits ; let me now call attention to the amazing stupidity of the accusation. With what evidence will you confront me, my good sir, clever lawyer as you may be, in the eyes of your Mustelas and Tiros ? Nay, since your Mustela and your Tiro are standing here at this moment furnished with swords in the sight of the senate, I will indorse their opinion of your legal ability, if you will show me how you will defend them when they are tried for murderous violence. But to resume, how would you meet a flat denial on my part that I ever sent you that letter ? By what evidence will you convict me of falsehood ? By that of the handwriting ? Ah ! I know you have a knowledge, not unprofitable, of handwritings. But how can you appeal to the letter ? It is written by a secretary. I cannot but envy your master,¹ who received the huge fee I shall mention presently for his success in teaching you—to be a fool.
9 Yes, how foolish it is, I will not say for a public speaker, but for any human being, to make an allegation against an opponent, the flat denial of which pulls the accuser up short ? Not that I mean so to deny your statement about my letter ; but I prove that in making it you have shown not only ill-breeding but downright foolishness. For is there a single word

¹ Sextus Clodius, the rhetorician : see §§ 47, 107.

in that letter which does not breathe of good-breeding, proper feeling, and generosity? The only possible charge is that I do not express an unfavourable opinion of you in the said letter, that I write as to a fellow-citizen, as to an honest man, and not as to a scoundrel and a brigand. However, I will not retaliate by producing your letter, though I should be justified by the provocation you have given me; you ask me in that letter to consent to your recalling a certain person¹ from exile, and you protest that you will not do it against my wishes. Your request I of course granted; what reason was there in my trying to oppose your violence, since it could not be controlled by the expressed wishes of this house, by the public opinion of Rome, or by the law of the land? But after all, what need was there for you to make an appeal to me, if your protégé had already been recalled by Caesar's law? The presumption is of course that he wished to secure the credit for me—in a case where there could have been none for himself, as the law was already passed!

But since I am obliged, my lords, to say something V in my own praise and not a little to the disparagement of M. Antonius, I ask you to hear graciously what I have to say for myself, and for the other topic I will myself ensure your close attention to what I have to say against him. And herewith I make this further request: that, if you have not been unconscious of the moderate and modest character of my whole career and more especially of my public utterances, you will not think me inconsistent to-day, in answering this

¹ Sextus Clodius, formerly P. Clodius's secretary.

villain according to the provocation he has given me. I shall not treat him as consul ; he has not treated me as an ex-consul. Though I must say that he is not in any respect really a consul, whether you regard his life or his administration or the manner of his appointment ; while no one can deny that I have actually
11 held the consulship. To inform you, therefore, of his own view as to the duties of his office of consul, he made my tenure of the consulship one of his charges against me. That high office was nominally mine, my lords ; but virtually it was undertaken by the senate. Every arrangement of mine was made, every act of mine was done, at the advice and on the authority and with the express consent of this honourable house. This was the policy which you, with a wisdom as remarkable as your eloquence, have dared to vilipend before those by whose advice and wisdom it was carried out. Who indeed besides you and Publius Clodius ever dared to come forward and vilify my tenure of the consulship ? But for you, as for C. Curio, is Clodius's doom reserved, since there is that by your hearth,¹ which brought an evil doom on
12 both your predecessors. M. Antonius, it appears, disapproves of my consulship. Yet it was approved by P. Servilius, whom I name first of the ex-consuls of that time as the one most recently deceased, It was approved by Q. Catulus, whose high influence will ever be felt at Rome ; it was approved by the two Luculli, by M. Crassus, Q. Hortensius, C. Curio, C. Piso, M'. Glabrio, M'. Lepidus, L. Volcatius, and C. Figulus,

¹ Fulvia, who married (1) P. Clodius, (2) C. Curio, (3) M. Antonius.

by D. Silanus and L. Murena, who were then the consuls-elect for the ensuing year; the same policy that found favour with the ex-consuls was approved by M. Cato, who in voluntarily quitting life acted wisely in many respects, and especially in avoiding the sight of your elevation to the consulship. And above all, my consulship was specially approved by Cn. Pompeius; for he, as soon as he met me on his return from Syria, complimented me affectionately with the phrase that to me he owed his chance of seeing his country again. But why do I repeat the testimony of individuals? This noble house at a very crowded sitting approved so warmly of what I had done as consul that there was no one present who did not thank me as a father, no one who did not credit me with the preservation of his life and fortunes, his children and his country.

But since Rome has long been bereft of all those VI
great men, whose names I have recalled, let us turn 13
to those who survive; among whom there are two of
the ex-consuls left. L. Cotta, whose good sense was as
supreme as his ability, for the political proceedings
which you are now censuring, proposed a public
thanksgiving in the most complimentary terms, and
the other ex-consuls, whose names I have just given
you, with the whole senate, assented to his motion:
and this was an honour which had never since the
foundation of Rome been conferred on any one acting
in a civil capacity before my case. The other was L. 14
Cæsar, your own uncle; remember the intrepidity and
dignity with which he spoke and voted against

his sister's husband, your stepfather.¹ Yet you, Antonius, though you should rightly have taken him as the guide and director of your whole life and of every thought, you preferred to resemble your stepfather rather than your uncle. I was not related to him, and yet I availed myself of his advice when I was consul; you are his sister's son, but have you ever referred any political question to him? Ah! to whom does Antonius refer his policy? Great heavens! to those to be sure, of the dates of whose birthdays he
15 takes care to remind even us! To-day Antonius has not come down to the house. What detains him? A birthday-fête in his pleasure-grounds! In whose honour? I will not mention names; you can suppose he is fêting a Phormio one day, a Guatho the next, and a Ballio the next! Oh! what outrageous indecency! What intolerable impudence and wickedness and licence! Is it possible that you, having a leading senator, an eminent citizen so nearly related to you, should never refer political questions to him, but refer them to the penniless sycophants whose policy is to drain your purse? No wonder your consulship is beneficial and mine disastrous.

VII But have you really lost your sense of propriety as well as your purity so completely, as to have dared to make this statement here, in this temple in which I used to consult the noble senators of my time, once the prosperous rulers of the world, while your chief performance has been to station there your desperadoes
16 armed with swords? Yes, you have even dared—is

¹ P. Lentulus. See *Cat.* iv. 13.

there anything beyond your daring?—to state that when I was consul the slope of the Capitol was crowded with armed slaves. To force those atrocious resolutions of mine on the house, I presume, I was ready to use violence towards the senators? Miserable man, if you do not know the facts,—you know nothing good,—or if you know them, miserable indeed to speak with such impudence before this noble house! Every Roman knight, every young man of noble family in Rome but you, every single member of any class who remembered that he was a Roman citizen, were *was present* assembled on the slope of the Capitol, when the senate was meeting in this temple. Every name was offered for enrolment; though there were not enough clerks to take them, nor were their writing-boards large enough for the lists of our defenders. For 17 when such atrocious villains were admitting their murderous treason, when they had been forced by the information lodged by their accomplices, by their own handwritings, and by the accusing voices, so to speak, of their own letters, to admit that they had conspired to fire the city, massacre their countrymen, devastate Italy, and blot out the name of Rome, who would there have been not impelled irresistibly to join in the defence of society? especially as the senate and people of Rome had then a leader such that, if any like him were our leader now, he would have meted out to you the same fate that befell those vile men. But he says I did not give up his stepfather's corpse for interment. This is a charge that was never made even by P. Clodius: and, since I was amply justified

in my hostility to him, I am sorry to find you even
18 more proficient in every sort of vice. But why did
it occur to you to constrain us to recollect that you
were brought up in the house of P. Lentulus? Were
you afraid we should not think you possessed natural
capacity sufficient to produce so much wickedness,
unless it had been strengthened by the education you
VIII received there? Were you really so senseless as to
use at every point of your speech arguments which
tell against yourself, as to say things not merely
inconsistent, but altogether contradictory and incom-
patible, till you make your contest throughout not
with me but with yourself? You admitted that your
stepfather was implicated in that conspiracy, but you
complained of his having suffered punishment: you
commended our action as far as I was personally
responsible for it, but what was done entirely by the
senate, you preferred to censure. The arrest of the
guilty persons was by my authority; the treatment
they received was determined by the senate. He is
so clever that he does not see that he is praising the
opponent against whom he is speaking, and abusing
the audience in whose presence the speech is made!
19 And observe what audacity it indicates,—no, I will
not say audacity, since he is anxious to gain a reputa-
tion for that,—but what folly (the quality he least
covets), what unsurpassable folly it indicates to allude
to the slope of the Capitol, when armed men are posted
here among our benches! when even within the sacred
fane of Concord, ye immortal gods! where when I
was consul those patriotic speeches and votes were

given which have preserved our lives to this day, men have now been stationed and stand with their swords in their hands! But shower your accusations on the senate; on the knights, who were then as a class in close alliance with the senate; on all the privileged classes, on all the citizens, provided that you do not deny that at this very moment this noble house is beleaguered by your Iturean guards. Yet it is not to your audacity that I attribute the impudence of your statements, so much as to the fact that you do not perceive the gross contradictions they involve. Clearly you have no sense at all. What can more surely indicate insanity than to resort to arms yourself in a manner destructive of the state, and then taunt an opponent with employing them for beneficial purposes? And besides all this in a certain part of your speech ²⁰ you intended to be witty. Great heavens! how unbecoming your attempt was! and for this failure some blame attaches to yourself; you might have borrowed some piece of humour from the actress who performs your wife. 'Let the sword give way to the gown,' you quoted.¹ Well? did it not give way on that occasion? though true it is that since then the gown has had to give way to your weapons. Let us inquire whether it was better the weapons of desperate men should give way before the liberties of the Roman people, or that your armed followers should bear down our liberties thus. However I will give you no further answer as to my verses: I will only say briefly that you know no more about them than you do about any

¹ From Cicero's poems.

other form of literature ; that I, without having ever failed my country or my friends, have by my published works of every description made the results of my midnight studies of some use to the rising generation and of some credit to the name of Rome. But no more of my poems ; let us turn to more important topics.

- IX You have alleged that the murder of P. Clodius was
21 instigated by me. Why, what would be the popular belief on that subject, if Clodius had been killed on the occasion when you pursued him with a drawn sword through the Forum in the sight of all Rome, and would have settled the business there and then, if he had not taken refuge in the staircase of a book-shop, and by barricading himself there baffled your impetuous onslaught ? I do not mean to deny that I looked with approval on your performance ; but even you do not assert that I advised it. In Milo's case however I was not able even to wish him success ; for he had carried the affair through before any one suspected that he was likely to take it in hand. But possibly I advised him ? It is of course notorious that Milo's courage was so faint that he could not serve his country without some one's advice ! Or possibly I rejoiced at Clodius's death ? What if I did ? Ought I, and I alone, to have shown grief when the whole of
22 Rome was rejoicing ? But after all, there was a commission to inquire into the circumstances of Clodius's death. It was not indeed a well-arranged inquiry : for what point was there in holding an inquiry into a single case of homicide under a specially enacted

law, when there was a court appointed by statute to try such cases? Still an inquiry was held. No one made any charge of this kind against me during the investigation; has it been left for you to make this monstrous accusation after so many years?

But as to the allegation you have dared to make, 23
and at some length too, that I was the author of the
estrangement of Pompeius from Cæsar, and that I
must therefore be considered responsible for the out-
break of the civil war, you will find that on that
subject you have made mistakes, not indeed in your
general statement, but in what is most important, the
dates. I admit that when our eminent countryman, X
M. Bibulus, was consul, I left no effort untried, no
stone unturned, to win Pompeius away from his coali-
tion with Cæsar. Cæsar however was more successful
in his efforts; and he detached Pompeius from his in-
timacy with me. But when Pompeius had once sur-
rendered himself body and soul to Cæsar, what sense
would there have been in my trying to disentangle
him? It would have been mere folly to hope for,
sheer impudence to counsel such a course. But before 24
things went so far, there were two occasions, on which I
certainly did advise Pompeius to take some step against
Cæsar. You may censure my action at those points,
if you can. The first crisis was when I advised Pom-
peius not to allow the prolongation of Cæsar's govern-
ment for another five years: the second when I urged
him not to permit the motion to be made that Cæsar's
claims should be considered in his absence. If I had
succeeded in my efforts on either of these points, we

should never have been plunged into this series of calamities. But I took the opposite line when Pompeius had intrusted all his resources and all the resources of the Roman people to Cæsar, and was beginning too late to perceive what I had long foreseen, and when I saw that an unholy war was being waged against Rome ; ah ! then I never ceased to advocate peace, harmony, compromise ; and the sentence ever on my lips is known to many : ‘ Ah ! Pompeius would that your compact with Cæsar had either never been made or else never been broken. In refusing to make it you would have shown your sound principle, in refusing to break it your common-sense.’ These, M. Antonius, were ever my counsels for the good of Pompeius and for the good of Rome ; and if they had prevailed, Rome would still be standing, while you would long ago have been brought low by your crimes, your beggary, and your evil reputation.

XI But all these are old accusations ; I turn to the more
25 modern charge. You allege that I instigated the murder of Cæsar. And here, I am afraid, my lords, that you will think me guilty of the disgraceful trick of having put up some one to act in collusion with me as prosecutor, and to praise me not only for my own, but also for other people’s performances. As a matter of fact, has my name ever been mentioned in the list of those who shared that glorious deed ? and was the name of any member of the party concealed ? Concealed indeed ! was there any name which was not published abroad at once ? I should be more inclined to say that some persons had boasted in order

to be thought members of the band when they had not been, than that any one who had been in it was anxious to conceal the fact. Besides, what probability 26 is there that among a number of men half of whom were not known and the other half comparatively young and not likely to conceal any one's name, my name would have been able to escape publicity? If, in fact, men were wanted to show others how to free their country, was I the man to stimulate the Bruti, when both of them see daily (in their halls the effigy of L. Brutus, and one of them that of Ahala as well? Would the descendants of such ancestors be likely to turn to strangers for instructions rather than to their own kin, or to go outside their own homes for counsel? Or again, is it likely that C. Cassius, the scion of a house which could never endure despotic power, or even any man's improper ascendancy, was in need of instructions from me? that C. Cassius who without the aid of his illustrious friends would long ago have settled this affair in Cilicia at the mouth of the Cydnus, if Cæsar had brought his fleet up to the bank at which he had arranged to anchor, and not to the opposite side of the river! Was Cn. Domitius stirred 27 up to vindicate the cause of freedom by my influence, and not by the slaughter of his illustrious father, the death of his uncle, and the loss of his official rank? Did C. Trebonius need my persuasion? I should never have dared even to offer him my advice: and therein Rome owes him the greater gratitude, because he was a man who valued the freedom of her people more than private friendship, and chose to destroy the

tyrant rather than to share his throne. Or did L. Tillius Cimber act under my instructions? In his case my surprise that he did the deed has been far stronger than any reason I had to suppose that he would do it,—surprise that the remembrance of his duty to his country could make him forget the benefits he had received from Cæsar. What of the two Servilii?—are they Cascas, or can they be Ahalas? Do you imagine that they too were roused by my influence rather than by their affection for Rome? It were tedious to repeat all the names: but the length of the list is an honour to Rome and a source of fame to the individuals.

- XII But I must ask you, my lords, to recall the exact
28 form in which this sagacious person convicted me.
'When Cæsar had been despatched,' such is his story,
'Brutus at once brandished aloft the reeking dagger,
'and calling on Cicero by name, bade him rejoice with
'them at the restoration of liberty.' But why on me?
Was it because I knew already? What if the reason
he appealed to me was that after a deed resembling
that which I myself had accomplished, he wished me
specially to observe that he had emulated my famous
29 achievement! But you, most foolish of men, do you
not comprehend that if the having desired Cæsar's
death, which you impute to me, is criminal, to have
shown joy at it is no less to be accounted a crime?
What difference is there between advice to do the deed
and approval of it when done? What difference does
it make whether I have desired his murder or am
rejoiced at its perpetration? And is there any living
man, excepting those who rejoiced to see him estab-

lishing a despotism, who desired him not to be killed, or who disapproved of the deed when done? You must then blame all or none; in fact, every good citizen was, as far as he could be, an accomplice in Cæsar's murder. Some had not the skill to contrive, others lacked the courage to strike, and others again the opportunity; but no one lacked the will. Yet ³⁰ observe the stupidity of the man—or should I say, of the brute beast? His actual statement was this. 'Brutus, whom I mention with all respect, held up the bloody dagger and shouted aloud the name of Cicero; from this it ought to be understood that Cicero was privy to the plot.' So then I am termed a vile criminal by you, merely because you have a suspicion that I suspected something; the man who brandished the reeking dagger, he is 'mentioned with all respect'? Let it be so; let us agree that there is in your words this gross stupidity: is there not more, far more, in the way you acted and voted? Force yourself to determine definitely, sir Consul, what judgment you pass on the Bruti, on C. Cassius, Cn. Domitius, C. Trebonius, and the rest: sleep off your drunken lethargy, I say, let the fumes of wine evaporate; or must one bring flaring lights to awake the man who is snoring over a question like this? Will you never comprehend that you must decide in your own mind whether the doers of that deed are murderers or the avengers of freedom?

No, give me a brief attention, and for a single XIII moment try to follow a sober line of thought. I, ³¹ Cicero, being by my own admission the friend, and, on your showing, the accomplice of the conspirators,

I say that you must apply one of two terms to their conduct. If they are not the liberators of the Roman people and the saviours of Rome, I do not deny that they are worse than assassins, worse than murderers, worse than parricides, since it is more atrocious to kill the father of one's country than one's own parent. Now by what name do you, most wise and well advised of men, call them? If they are parricides, why have you always addressed them 'with all respect' before this noble house and also before the assembly of the Roman people? Why was M. Brutus at your motion exempted from the statutory obligation not to be absent from Rome more than ten days? Why at the celebration of the games of Apollo was such extraordinary respect shown to M. Brutus? Why were provinces assigned to Brutus and to Cassius? Why were they granted additional quaestors? Why were the numbers of their lieutenant-governors raised? Yet all this was certainly effected by your agency: you cannot therefore think them murderers. It follows then that in your opinion they are liberators, since
32 there can be no third alternative. What is the matter? am I confusing your mind? Possibly you do not understand an argument in the form of a dilemma. However that may be, the substance of my argument is this: since you have declared them free from guilt, you have inferentially pronounced them deserving of the most distinguished rewards. Accordingly I may now retract my argument on this point. I will write to them that, if they are asked by any one whether the charge you made against me is true or

not, they are not to deny it: in fact I am afraid that the having kept me in the dark may be considered dishonourable in them, or the having declined their invitation extremely discreditable to me! For in truth, by Jupiter most holy, was there ever an achievement greater than that deed in Rome, nay, in the whole world? Was there ever a deed more glorious? more sure of immortal remembrance? Do you, Antonius, mean to include me, Cicero, in this league and compact, among the chieftains hidden in this modern Horse of Troy? I do not refuse the honour. I can 33 even thank you, whatever may be your object; for the result is so great that I cannot consider the unpopularity which you wish to excite against me as comparable with any ordinary commendation. For can anything be more blest than the lot of those men whom you boast that you have exiled and driven into banishment? Is there likely to be any spot so uninhabited or so uncivilised as not to welcome them with open arms the moment they approach it? Are there any men so savage as not to feel that the sight of them is the greatest boon that human life can receive? Will any generation yet to come ever be so forgetful or any period of literature ever so ungrateful as not to cherish their fame in eternal remembrance? By all means include me in such a list.

But there is one point on which I apprehend your XIV disapproval: if I had been one of them, I should have 34 freed Rome not merely from the despot, but from despotism; and had my dagger collaborated with theirs, if I may use the expression, I should have put

the finishing touches not only to a single act but to the whole of this tragedy. And yet, if it is criminal to have desired Cæsar's death, let me ask you to reflect, Antonius, what will happen to you, who most notoriously contemplated an attempt on his life with Trebonius at Narbo, and on account of your complicity then were, as we saw, called aside by Trebonius at Cæsar's assassination. For my part—observe how far removed from unfriendliness is the way I treat you—I commend you for having once had good intentions; I thank you for having held your tongue; I even pardon you for not having taken an active part; an affair like that demanded
35 a man. But if any one summons you to stand your trial for the murder and employs the famous Cassian interrogatory and asks, 'Who profited by the crime?' take care that you do not find yourself implicated! Although Cæsar's death was, as you said at least, a gain to all who did not wish to be slaves, yet to you who are now more likely to be a tyrant than to be a slave, it is a special gain; a special gain to you, I say, who have extricated yourself from an enormous mass of debts by your visit to the Temple of Plenty; who by means of the same accounts have dispersed an amazing amount of money; to whom so many articles have been conveyed from Cæsar's house; whose house is a manufactory—and a very paying one—for forged papers and signatures, and a market in which territories, towns, taxes, and exemptions from tribute, are
36 scandalously bought and sold. In fact, what was there but Cæsar's death which could possibly have relieved your penury and paid your debts? But you seem to be

somewhat disturbed. Are you secretly afraid of being included in the list of the accused? I can dispel your fears; no one will ever credit the charge: it is not in your nature to render any service to your country. Rome can rely on the illustrious men who were responsible for that most glorious deed: I say no more than that you are pleased, I do not charge you with having done it. I have answered the most serious charges: I must now reply to the rest.

You have taunted me with my presence in Pom- XV
peius's camp, and with the whole of that period: but 37
if, as I have said, my advice and influence had prevailed at that period, you would to-day be a beggar, and we should be free men; Rome would not have lost so many Roman generals and so many Roman armies. I confess that I, foreseeing that what did happen, would happen, was plunged into dejection as deep as all the rest of the best citizens would have felt, if they had foreseen what I did. I did lament, my lords, I did indeed lament, that Rome, once preserved by your policy and mine, would so soon perish: but yet I was not so ignorant and inexperienced as to be reduced to despair by clinging to a life which would only torture me if preserved, while the losing it would deliver from all my troubles. I did indeed desire that the lives of those eminent men, those bright ornaments of their country, should be preserved, that so many men of consular and praetorian rank, so many honourable senators, the very flower of the youthful aristocracy, whole armies of the best and bravest of our countrymen, should survive: if they still lived, on terms of

peace however unfair,—to my mind peace at any price between fellow-citizens seemed more advantageous than civil war,—we should to-day retain constitutional
38 government. And if my voice had prevailed, if those for whose lives I was anxious had not been the first to withstand me in the excitement of anticipated victory, then, to say the least, you, Antonius, would never have kept your place in this house, no indeed, nor even in this city. The fact was, you say, that the tone of my language estranged Cn. Pompeius from me. But was there any one for whom he showed more affection? was there any one with whom he conversed or took counsel more frequently? and it was no slight matter that, though we differed on the most important political questions, we remained on the same terms of intimate private friendship. I saw plainly his feelings and principles and he saw mine. I wished to secure the safety of our fellow-citizens, that we might afterwards take thought for their honour; he preferred to take thought for their honour at once. The fact that both
39 of us had alike a definite end in view, made our difference of opinion more endurable. But the feelings of that exceptional and superhuman man towards me are well known to those who followed him in his flight from Pharsalus to Paphos: he never alluded to me except in complimentary terms, in language full of the most affectionate regret, acknowledging that I had ‘foreseen the future more correctly,’ though he had ‘entertained the more sanguine hopes.’ And do you, sir, dare then to reproach me in the name of the man whom you admit to have been my friend, while you

are only the dealer in his confiscated property? But XVI let us pass over that war, in which you were far too fortunate. I will not reply even to your taunts about the jokes which you said I made in Pompeius's camp. That camp was indeed a place of much anxiety; but men even in the midst of trouble, still, if they are human, sometimes relax. And as he blames me for 40 my dejection in one sentence and for my jokes in the next, it may be fairly inferred that neither my dejection nor my levity were excessive.

Further, you have stated that no legacies were ever left to me. I should indeed rejoice if this count in your indictment were true: for then more of my friends, and of my intimates, would still be living. But how has this idea ever entered into your head? The truth is that my receipts under the head of legacies amount to more than twenty million sesterces. However I admit that you have been more fortunate in this way. No one not a personal friend ever made me his heir; so that whatever profit I have derived from inheritances, was attended by a certain amount of regret. You I know were the heir of L. Rubrius of Casinum, a man whom you never even saw. Yes, just think how 41 attached to you he was, though you don't know whether he was light or dark! He passed over his nephew; the son of Q. Fufius, an honourable Roman knight, who was on excellent terms with him, whom he had always publicly designated his heir, he does not even name in his will. He made you his heir, you whom he had never seen, or at any rate never spoken to. Tell me if you can, unless I am troubling you too

much, what L. Turselius was like, how tall he was, what town he came from, and in what tribe he voted. 'I can only tell you,' you will say, 'what estates he possessed.' That no doubt is why he disinherited his brother and made you his heir! There are many other cases in which our friend forcibly ejected the rightful heirs, and seized large sums of money left by
42 utter strangers, as if he was their natural successor. However, what has astonished me most is your effrontery in alluding to inheritances, when you never took up your succession to your father's estate.

XVII Was this all the material you could collect, you demented man, after so many days spent in practising rhetoric in a country house not your own? Although what your friends say is probably true, I mean, that you practise declamation not to sharpen your wits, but to rouse yourself after a debauch. But perhaps it is only for a jest that you employ as your master a man who may be a professor of rhetoric in the opinion of yourself and your boon-companions, whom you permitted to say what he liked in abuse of you, and who is I dare say witty enough all round, though it is easy to find witticisms at the expense of you and your friends. But mark the difference between your grandfather and yourself; he was cautious in saying even what would help his case; you are hasty in saying
43 what is damaging to yourself. But what a huge fee was paid to the professor! Listen, my lords, listen; and learn the atrocities inflicted on our country. Two thousand acres in the Leontine Plain were bestowed on your rhetoric professor, Sextus Clodius, and those

tax-free; this was the fee the Roman people had to pay to have you taught to be a fool. Did you find this also, you villain, among Cæsar's papers? But I will speak elsewhere about the Leontine Plain, and about the Campanian too, both of which domains he wrested from the state and defiled for ever with settlers of the most degraded character.

And now, since I have sufficiently answered his charges against me, I must say a few words about the critic himself, the censor of my career. But I will not discharge everything at once; and then, if I have to cope with him oftener, as I shall, I shall always have new material. And I shall find material enough and to spare in the abundance of his vices and crimes.✓

Shall we then survey together your manner of life XVIII
from your boyhood? I think we will: and let us begin 44
from the beginning. Do you retain any memory of the fact that you were bankrupt in your teens? 'Well,' you will say, 'but that was my father's fault.' You may say so; your plea is one distinguished by filial affection. Your subsequent conduct was distinguished by effrontery of your own, I mean, your taking a seat in the fourteen rows, though the Roscian Law assigned a special place to bankrupt knights, even if their bankruptcy was due to misfortune and not to their own fault. You came of age; and on your shoulders the toga of a man soon became that of a certain kind of woman. At first you plied for hire; your prices were fixed, and anything but low; but soon Curio appeared on the scene, removed you from the open market, and made you, so to speak, an honest lad by something similar

45 to a legally contracted union. No slave purchased to be the victim of lust was ever so completely in his master's power as you in Curio's. How often did his father eject you from his house? How often did he have the house watched to prevent your crossing the threshold? though you under cover of night, impelled by passion and greedy for your fee, contrived to crawl down over the tiles, till the family could not endure the scandal any longer. Are you aware that I am speaking of matters with which I am intimately acquainted? Carry your mind back to that occasion when the elder Curio lay weeping on his bed; when his son was throwing himself at my feet in tears and commending you to my protection; when he was imploring me to defend him from his father's anger, if he asked for a sum of six million sesterces; he had, he said, given security for you to that amount. In his passion for you he protested that he could not bear the pangs of being torn from your arms, and that he
46 would follow you into exile. On that occasion remember how I mitigated or rather entirely averted a great disaster which threatened a prosperous house. I persuaded the father to pay his son's debt; to redeem a young man of the highest spirit and intellectual promise by well-timed pecuniary assistance, and to debar him by the whole weight of paternal authority from any sort of intimacy or even association with you. Remembering my share in these transactions, would you have had the audacity to rouse me
XIX by your insults, if you did not rely wholly on the
47 swords we see round about us? But let us turn from

his indecencies and immoralities; there are some things which a gentleman cannot mention; you may count yourself the less encumbered in having stained yourself with crimes which cannot be alleged against you by an opponent who feels any sense of decency. But mark, my lords, the rest of his early career; and even that I will survey rapidly; for I am anxious to hurry on to the crimes which he perpetrated in the civil war, amid the dire calamities of his country, and to the crimes that he is committing every day: and as to these, though many of them are better known to yourselves than to me, I beg you to continue the attention which you are giving me now. In such matters your anger ought to be excited not only by your actual knowledge of the events but even by the remembrance of them: though I think we must be brief over the middle of his career that we may have plenty of time when we come to the most recent stages of it.

Very intimate with Clodius, when he was tribune, 48 was this man who now recites the favours he then conferred on me: he fired the train in every disturbance Clodius created, and even within Clodius's own house he had a little plan of his own for a disturbance. He is fully aware of the subject of my allusion. The next thing was his expedition to Alexandria, made in defiance of the senate's resolution, of the authority of the government, of the religious difficulty: but I know Gabinius was his chief in this, and anything he did with Gabinius would be quite right! What were the circumstances, what was the char-

acter of his next step, his return from Egypt? On his way back from Egypt he went to the other end of Gaul before he returned home. And what was his home? Every man had his own home then; so you of course had none. Home indeed! Had you any place of your own on which to rest your weary feet except a single farm at Misenum, which you shared with a joint-stock company like the mines at Sisapo?

XX You arrived from Gaul to stand for the quaestorship.

49 Dare, if you can, to say that you went then to your mother's house before you came to mine! I had received a letter from Cæsar, asking me to receive your apologies; and so I did not allow you even to mention reconciliation. After this I was courted by you, and you were greatly assisted by me when you stood for the quaestorship. This was the occasion on which you attempted to kill P. Clodius in the open forum amid the applause of the people; and though the attempt was entirely your own affair and not in any way prompted by me, you publicly announced that it was your conviction that to kill him was the only amends you could make to me for the injuries you had inflicted upon me. And herein I am surprised that you should charge me with having instigated Milo to kill Clodius, knowing as you well do, that I never encouraged you when you were voluntarily offering me the same service. However, if you had been meaning to persevere, I was anxious that the deed should redound to your credit rather than be
50 taken as a debt of gratitude to me. You were elected quaestor: at once without any decree of the senate,

without waiting to have your province assigned to you by lot or bill, you hurried off to Cæsar. You thought of course that he was the only refuge in the wide world for you, for an impecunious and evil-minded debtor who had wandered far from respectability. When you had gorged yourself there with his donations and your own extortions,—if one can use the term of what is disgorged the next minute,—you flew back to Rome with empty pockets to take the tribuneship, and show yourself in that office, if you could, a worthy helpmeet for your old protector.

Now, my lords, let me relate to you, not the want XXI
of decency and self-restraint with which he has disgraced himself and the honour of his family, but the outrages and the unhallowed violence with which he has assailed us and our property, that is, the whole commonwealth of Rome. You will find in his wickedness the prime source of all our woes. For when in the consul- 51
ship of L. Lentulus and C. Marcellus, on the first of January, you were anxious to uphold the constitution, already tottering to its fall, and were ready to act with consideration towards C. Cæsar, if he showed any sanity, then this wretch used the tribunician powers, which he had sold and delivered into another man's hand, to thwart your policy, and thereby deserved the axe which has descended on many tribunes for smaller crimes than his. Yes, M. Antonius, by a formal resolution of the senate, and that senate an undiminished body, not yet deprived of its most brilliant members, the measures were voted against you which by long established custom are voted against enemies who are

of Roman blood. Have you, you, dared to speak against me before these noble lords, though by them I was solemnly declared the saviour and you the enemy of this state? They may have long delayed to remind you of your crime, but they have not forgotten it. While the human race exists, while the name of Rome remains,—and that will be for all eternity, if you suffer it to continue,—your baneful
52 exercise of the veto will be known and named. Was any partiality, was any rashness shown by the senate, when you, young as you were, by your single voice, not only once, but several times, prevented a whole order of the state from passing a resolution to preserve their country, when you did not allow the claims of the senate's resolution to be urged upon you? Nor was anything urged but that you should not choose
Rome to be utterly destroyed and ruined, at that crisis, I say, when neither the entreaties of the leading men in Rome nor the warnings of your¹ elders nor the arguments of a crowded house could make you remove a veto that had been bought and sold. Then after many attempts had been made, it was absolutely necessary to inflict on you the extreme sentence, inflicted on
53 but few before you, none of whom had escaped with their lives; then this house ordered the consuls and the other higher magistrates and officials to take up arms against you; and you would never have escaped,
XXII if you had not taken refuge with Cæsar's army. You, you I say, M. Antonius, are the first of those who when C. Cæsar was anxious to bring about revolution furnished him with a pretext for making war

upon his country. Did he ever allege any other cause? Did he ever give any reason for his insane policy and action, beyond the disregard of the veto, the violation of the tribune's legal powers, the senate's interference with Antonius? I pass over the falseness, the levity of such excuses, seeing that no one can have any valid reason whatsoever for making war on his country. But I will say nothing about Cæsar; you assuredly cannot deny that the cause of that fatal war was the part you played on that occasion. Miserable 54 must you be if you comprehend this, still more miserable if you do not comprehend, that it is securely recorded in history, that it is handed down to posterity, that our descendants to the remotest ages will never forget, that the consuls were driven from Italy and with them Cn. Pompeius, the light and glory of the Roman empire, that all the ex-consuls whose health allowed them to effect that disastrous retreat, the praetors, the ex-praetors, the tribunes of the plebs, a large proportion of the senators, the whole of the rising generation,—that, in a word, the whole commonwealth was ejected and evicted from its proper habitation by you. And as truly as the seed is the 55 cause of trees and plants, you were the cause of this most lamentable war. My lords, you mourn for three Roman armies slain in the war; they were slain by Antonius. You weep for the loss of the most illustrious of our fellow-citizens; they were torn from us by Antonius. The authority of this house has been trampled on; it was trampled upon by Antonius. Everything that we have seen since,—and what calamity

have we not seen?—if we reckon accurately, we shall find part of our debt to one man, to Antonius. As Helen to the Trojans, so has he been to Rome, the cause of war, the cause of destruction and desolation. The remaining months of his tribunate were like the first: he carried out every measure which the senate had succeeded in preventing while the government of Rome was still untouched.

XXIII But mark the vile inconsistency of his villainy. He
56 was reinstating many persons who had been ruined and banished; among these there is no mention of his uncle. If he wished to act with severity, why was he not severe to all alike? if he wished to show his clemency, why did he have no mercy for his own relations? I will only take one instance. Licinius Denticula, who had been convicted for gambling, and who had gambled with him, he restored to his former status, as if he felt it illegal to game with a convicted person; but he restored him only on condition of his accepting inclusion in the bill in lieu of the sums he had lost to him. What reason did you give the Roman people for the propriety of his restoration? You alleged, I suppose, that he had been prosecuted in his absence? that he had been tried without any opportunity of defending himself? that gambling was not punishable by law? that he was crushed by armed violence? or possibly, as was said about your uncle, that he was convicted by a bribed jury? No, nothing of the sort. It is possible that he was an excellent man and a deserving citizen. That of course is not material; still, since a mere conviction counts for

nothing, I would excuse you if he really were so : but as it is, by rehabilitating an abandoned man who would not hesitate to gamble even in the forum, and who was convicted by the law under which gambling is a legal offence, does not our friend here give us a clear revelation of his own tastes? And again, during his same 57 tribunate, when Cæsar on his departure for Spain had left Italy under his heel, remember the progresses he made on the roads, remember his peregrinations round the country towns! I know that I am dealing with subjects which have long been on every one's lips, and that what I am saying and about to say is better known to all who were, than to me myself who was not, in Italy; but I will just mention the details, though of course you will find my remarks inadequate in comparison with your own recollections. In fact has any one ever heard anywhere of behaviour so openly scandalous as his? of conduct so notoriously disgraceful? The tribune of the plebs was driving in a XXIV carriage; he was preceded by lictors wreathed with 58 the laurel; and in their midst was borne, in an uncurtained litter, an actress whom the honest burghers of the country towns, who were obliged to meet him on his progress, had to address not by her well-known stage-sobriquet but by the name of *Volumnia*.¹ Next came a coach-load of pandars, a wicked crew; his mother was left to follow in the train of her profligate son's mistress as if attending on a daughter-in-law. Miserable indeed the mother whose offspring has been so deadly a curse to his country! On every borough

¹ *Cytheris*, also the mistress of *Volumnius* Eutrapelus.

and country town and colony, on every part of Italy, he has left the mark of these outrageous insults.

- 59 To criticise the rest of his performances, my lords, is a difficult and hazardous task. He took part in the war; he drank the blood of Roman citizens very different from himself; he was fortunate, if fortune can be the consequence of crime. But since we wish not to injure the veterans, though it is true there is little resemblance between your position and that of the soldiers,—they only followed, you hunted about for a leader,—still, for fear you should make mischief between them and me, I will say nothing about the general character of the war. You returned victorious from Thessaly to Brundisium in charge of the legions. There you refrained from murdering me. Stupendous generosity! I admit you had the power. And yet there was not a man among your then companions who did not feel that my life ought to be spared.
- 60 For so strong is the sentiment of patriotism, that my life was held sacred even by your legionaries, because they remembered my preservation of our country. But let us assume that it was a piece of generosity to leave me what you did not take away, and that I hold my life as a gift from you, because you did not rob me of it; did your insults allow me to be as grateful for the boon as I wished to be, especially as you saw that I
- XXV should answer you thus? But you came to Brun-
- 61 disium, you came to the warm embraces of your play-actress? How now? Am I accusing you falsely? How miserable it is not to be able to deny what it is a degradation to admit! If you felt no shame before

the burghers, did you feel none even before the veteran legionaries? And was there a single soldier in the army who did not see her at Brundisium? was there any one ignorant of the fact that she had taken a journey of so many days to welcome you? was there any one who did not lament that he had not known till too late what a wicked man he had followed? You 62 were whirled back through Italy, the play-actress with you as before. Your soldiers were billeted on various towns in a humiliating and oppressive manner. In Rome, gold, plate, and wines, particularly the last, were brutally taken from the owners. The next step, Cæsar being at Alexandria and so unaware of the proceedings, was, that Antonius was made master of the horse by the kind services of the dictator's friends. Then he thought that as *master of the horse* he might justifiably live with a man named *Hippias*, and that he might intrust to Sergius the actor the horses received as tribute from the provinces : at that time he had selected not the house which he now occupies, though on a precarious tenure, but M. Piso's as his headquarters. Need I recount to you his decrees, his robberies, his grants of inheritances, and his plunder of heirs? He was urged on by his impecuniosity ; he had nothing else to turn to. He had not yet secured the huge estates left him by L. Rubrius and L. Turselius ; he had not yet started up as the unexpected heir of Cn. Pompeius and of many persons absent from Italy. He was obliged to live like a brigand, and to subsist on just what he might have got by plundering others.

But let us turn from these manifestations of a 63

sturdier side of his wickedness : let us rather speak of frivolities of an especially infamous description. Look at the huge throat, the massive sides, and the whole frame as well knit as a prize-fighter's ! Yet you drank so much wine at dinner at Hippias's marriage, that you could not help being sick in the sight of the Roman people next day ! What a filthy performance, as filthy to describe as to witness ! If it had happened at the dinner-table in the midst of your bestial potations, any one would have thought it a disgrace to you. But this was at an assembly of the Roman people, and it was the master of the horse, in charge of public business, who, though it would be disgraceful for him even to hiccough, was actually sick, and covered his clothes and the whole platform with scraps of solid food reeking with wine.) But this incident he admits to be among his less brilliant achievements ; let us proceed at once to the more glorious deeds.

XXVI Cæsar returned from Alexandria, the favourite of
64 Fortune, as he seemed in his own eyes, though to my mind no one who is the enemy of his country can be accounted fortunate. The spear was set up and a public auction was held before the temple of Jupiter the Stablisher, and the goods of Cn. Pompeius—alas ! I have spent my tears, but the thought will never cease to cause me anguish—the goods, I say, of Cn. Pompeius Magnus were put up and sold by the unsympathetic voice of the public auctioneer. For that one moment Rome forgot her bonds and groaned aloud, and though all minds were enslaved by the all-

pervading fear, still the Roman people was free as yet—to groan. And while all were waiting and wondering who would be so profane, so mad, so hateful to heaven and earth, as to dare to take part as purchaser in that abominable confiscation and sale, no one could be found but Antonius, and that though the place was crowded with men who had audacity enough for anything short of such a deed: Antonius was the one man who could be found with daring enough to do what the audacity of all the others had recoiled from with horror. Was the fatuity, or I should more truly 65 call it, the frenzy which possessed you such as to make you forget that as a man of family dealing in confiscated property, and as the dealer in the confiscated property of Cn. Pompeius, you would be cursed and abhorred by the people of Rome, and the object now and ever of the hatred of heaven and earth? But with what insolence did his greedy mouth close at once on the property of the great man whose valour had made the Roman people more dreaded by foreign nations, and whose justice had made it more beloved? Having then gorged himself in a moment XXVII with that great man's vast possessions, he strutted with joy like a character in a farce, Out-at-elbows one day and *Nouveau riche* the next. But as some poet says, 'Ill-got's ill-spent.' It is incredible, it 66 • is portentous to relate, by what methods and in how few months, nay in how few days, he dissipated those vast accumulations. There was an immense stock of wine, a large quantity of the best plate, costly tapestry, much handsome and splendid furniture

in several places, all the property of a really affluent though not an extravagant man: of all this in a
67 few days there was nothing left. Was a Charybdis as voracious as this? Charybdis indeed! If Charybdis existed, she was only a single creature. No, I protest, I think that the Ocean itself could hardly have engulfed so instantaneously property so scattered and deposited in such distant localities! Nothing was secured, nothing was sealed up, nothing was inventoried. The wine-cellars were abandoned to the raids of the vilest criminals; here actors and there actresses were looting the house; the rooms were crammed with gamblers and choked with drunken men; the potations lasted whole days and went on in many places at once. The loss caused by this waste was frequently augmented by his gambling debts—he is not always lucky; you might have seen the beds in the slaves' bedrooms covered with Cn. Pompeius's rich purple draperies. You may cease then to wonder that this property was so rapidly squandered: not merely a single estate however large—and that estate was large indeed—but even whole towns and kingdoms could have been swallowed up by such iniquitous excesses. In spite of this he also seized upon Pom-
68 peius's house and gardens. What brutal effrontery! Did you dare even to enter Pompeius's house? Did you dare to cross that hallowed threshold? Did you dare to intrude your lust-stained features into the presence of the gods of that hearth and house? Once no one could behold or pass by that house without tears; and are you not ashamed of occupying rooms in that

house so long? However dull you are, still you cannot find any pleasure in such a home. Or when you see XXVIII the memorials of Pompeius's naval victories in the fore court, do you imagine that you are entering your own house? No, it is impossible. For though you may be without intelligence and without feeling, as indeed you are, still you have some acquaintance with yourself and your belongings and your kin. Nor do I believe that you can ever have any ease of mind whether awake or asleep; for though you be, as indeed you are, passionate and violent, you could not fail, if you saw in your dreams the form of that illustrious man, to start from your sleep in panic, and to rave of the vision even when awake. I pity indeed the walls and fabric 69 of that house. In Pompeius's time it had never seen anything that was not modest, anything that was not the outcome of the highest character and the most pious training. That great man was, as you know, my lords, not more illustrious in public than admirable in private life, and he deserved as much praise for his domestic habits as for his behaviour in society. And in his house the bedrooms have become brothels, and the living-apartments tap-rooms! Oh! but he denies all this now; pray don't refer to the past! He has turned over a new leaf; he has sent his female friend about her business; he has taken the keys from her in the form prescribed by the Twelve Tables, and turned her out of doors. Besides, what a reputable, what a respected member of society he is! Why, in his whole life his most decent act has been this divorcing of his play-actress!

70 But how often he repeats his phrase, that he is 'a consul and an Antonius:' he might as well say 'a consul and the most profligate,' or 'a consul and the most iniquitous of men.' What else is now the connotation of the name Antonius? If any honourable quality were implied by the name, your grandfather would have said on some occasion, I suppose, that he was 'a consul and an Antonius;' which he never did. Even my colleague, your uncle, would have used the phrase, unless you are the only Antonius genuine. But I pass over the faults not particularly appropriate to the characters under which you have persecuted your country: I return to your own special *rôle*, I mean to the civil war, which was conceived and worked up and fostered by you and you alone; though indeed in the war not only your timidity but your sensuality

XXIX kept you from playing a prominent part. You had

71 tasted, or rather you had drunk deep of Roman blood; you had commanded a wing at the battle of Pharsalus; you had slaughtered the illustrious and highborn L. Domitius; and many besides him, who had escaped from the field, whom Cæsar would perhaps have spared, as he spared not a few, had been savagely hunted down and butchered by you. And after all these great and glorious deeds, what reason had you for not following Caesar to Africa, especially as so large a part of the war still remained unfinished? Tell me, too, what place you occupied in consequence in Cæsar's favour after his return from Africa? Of what account were you held by him? When he was governor you had been his quaestor, when he was dictator his master

of the horse; you had been the prime cause of the war, the instigator of his barbarities, the sharer of the spoil; you were according to your own account adopted as his son by his will; yet you were dunned by him for the money still owing for the house, the gardens, and the confiscated property you had bought up. At 72 first you replied with a display of temper and (I don't wish to be too hostile to you) your statements were almost fair and equitable. 'To think that C. Cæsar 'should demand payment from me! Why he from me 'rather than I from him? Did he win his victories without 'me? No, nor was he ever strong enough. I gave him 'the pretext for the civil war; I proposed the disastrous measures; I declared war against the consuls 'and generals of Rome, against the senate and the 'people of Rome, against the gods of Rome and their 'altars and hearths, against my native country. Is it to 'profit himself alone that he has been victorious? Why 'should not the spoils be shared by those who have 'shared the adventure?' Your claim was valid; but what did that matter? He was the stronger. And so 73 he turned a deaf ear to your phrases and sent soldiers both to you and to your sureties; and then you suddenly published that wonderful catalogue! What ridicule it excited! Such a long catalogue of numerous and miscellaneous pieces of property, out of which except his share in the estate at Misenum there was absolutely nothing which the vendor could call his own! And when the auction took place, how lamentable was the sight! Pompeius's tapestry, not much of it, and what there was dirty; a few battered silver

cups once his, and a few shabby slaves; till we felt sorry that there were any relics of his property left
74 for us to see. And even this sale was stopped by L. Rubrius's heirs under an order from Cæsar. The scoundrel was in a fix; he knew not where to turn; besides, at that very moment an assassin sent by him was said to have been arrested with a dagger on his person at Cæsar's house, and Cæsar complained of this attempt before the senate and made an undisguised attack on you.

Cæsar left Rome for Spain, having given you a few days' grace on account of your impecuniosity; even then you did not follow him. Rather early, surely, for a distinguished champion like yourself to retire upon his laurels? Need any one then be afraid of a man who showed so much timidity in supporting his party,
XXX that is to say, in pushing his own fortunes? At last
75 he actually did start for Spain; but he could not, as he says, reach that country in safety. Then how did Dolabella reach that country? Either you should not have attached yourself to that cause, Antonius, or, having joined it, you should have supported it to the last extremity. Cæsar fought three decisive battles against Roman citizens, in Thessaly, in Africa, and in Spain; Dolabella fought by his side in all these battles; in that in Spain he was actually wounded. If you ask my opinion, I had rather he had not been there; but still, though I must reprehend his original decision, I must commend his brave consistency: were you either right or consistent? Cn. Pompeius's sons were then making an effort primarily to recover their native

country,—very well; let us say that their efforts affected your whole party equally,—but they were in addition trying to recover their ancestral gods, their household altars and hearths, the tutelary deity of their family, of all of which you had taken possession. And when those who were legally entitled to these things were in arms to reclaim them, then—though what equity can there be in a resistance so inequitable?—still who ought in equity to have headed the resistance to the sons of Cn. Pompeius? Who indeed but you, the dealer in the confiscated property? Or 76 while you were occupied at Narbo in being sick at the dinner-tables of your hosts, was Dolabella to be doing the fighting for you in Spain?

But what was the mode of his return from Narbo? he actually asked me why I returned so suddenly and interrupted my journey. I laid before you, my lords, not long ago the reason of my return. I wished, if possible, to be at my country's service even before the first of January. So to your question as to the mode of my return I will only reply, first, that I arrived by day and not in the dark; secondly, that I wore ordinary shoes and the toga, not Gaulish slippers of any sort or a heavy cloak. But even now you regard me fixedly and, as it seems, with anger. Ah! you would assuredly seek a reconciliation with me, if you knew what bitter shame I feel for your infamy, though you feel none yourself. Of all the disgraceful acts I have ever seen or heard of this is the most outrageous. Though you thought you had been master of the horse, and were standing for, or rather begging for, the

consulship of the following year, you dashed along through the boroughs and colonial towns of Gaul,—towns from which, when men stood and did not beg for consulships, we used to ask support,—attired in
XXXI a heavy travelling cloak and Gaulish slippers. But
77 mark the man's frivolity ! On reaching the Red Stones about the middle of the afternoon, he dived into a low inn and lurked there boozing in secret till nightfall ; then he hurried on to Rome in a light gig, and arrived at his house with his cloak over his head. ' Who goes there ? ' says the porter. ' A letter-carrier from Marcus.' He was at once conducted to the lady he had come to see and handed her his letter. When she was reading it with tears,—it was a very affectionate composition ; the main point of the letter was that he would have nothing more to do with the actress, that he had recalled all his affection from her and transferred it to his wife,—but when she began to weep copiously, the tender-hearted husband could not bear the sight ; he uncovered his head and fell upon her neck. You infamous man ! what else can I call you ? There is no term I can more properly employ. So it was simply that your wife might unexpectedly behold a Ganymede like you on your sudden exhibition of yourself to her, that you disturbed Rome by a midnight alarm, and Italy by a panic which lasted
78 many days ? Yes, you had one pretext at your own house, your marital affection ; outside it an even less creditable reason, your wish to prevent L. Plancius from estreating the bail given by your sureties. But when you were brought forward at a public meeting by

a tribune of the people and said in answer to a question that you had come to Rome on private business, you forced even the populace to be witty at your expense. But this is more than enough about such trifles : let us turn to more serious matters.

When C. Cæsar was returning from Spain, you XXXII went a considerable distance to meet him ; you went and you returned with some rapidity, to show him that, if not as brave as you might be, you were nevertheless energetic ; so somehow or other you became intimate with him again. This was quite in Cæsar's manner : any one who was utterly impecunious and overwhelmed with debt, if he knew him to possess also real wickedness and audacity, he readily admitted into his favoured circle. You had 79 these recommendations in an eminent degree ; and orders were issued that you should be declared duly elected consul, and as his own colleague. I am not complaining of the way in which Dolabella was induced to stand, led on, and finally thrown over. Every one knows what treachery you both showed towards Dolabella in this matter. Cæsar intercepted and transferred to himself the office which had been promised and guaranteed to Dolabella : you aided and abetted his breach of faith. The first of January arrives ; we are summoned to the senate : Dolabella attacked the treachery in an invective far more eloquent and elaborate than my present speech. Antonius however flew into a passion ; and I still 80 shudder at the thought of his language. First, though Cæsar had made public that before his departure he

would give orders that Dolabella should be consul,—and yet they say he was not a despot, when he was always doing and saying something of this sort!—however, though Cæsar had actually said so much, then this admirable augur said that he had been intrusted with those religious powers that he might at will interrupt or annul the election by use of the auspices, and he vowed that he would actually do so. And in this performance I ask you to observe first the amazing
81 fatuity of the man. What do you say? This act, which you said was in your power by virtue of your priestly functions, would you have been unable to do it if you had been consul instead of being augur? Surely you would have had even less difficulty. We augurs have only the power of reporting on the auspices when consulted; the consuls and the other higher magistrates have the right of observing them for themselves. Very well; let us suppose it was your ignorance of the rules: one cannot demand the jurisprudence of the auspices from a man who is never sober. But mark his impudence. Many months before the event, he said in the senate that he would either stop Dolabella's election by means of the auspices, or would do what he actually did. Now is it possible for any man to guess beforehand what defect there is going to be in the auspices, unless he has made up his mind to watch the heavens for something inauspicious? But it is illegal to do this at an election; and further, any one who has observed the heavens, is bound to report the result, not when the election is being held, but before it begins. But his ignorance and impudence

are inextricably interwoven: he does not know what an augur should know, nor does he do what a decent man should do. And so recall to yourselves the 82 character of his consulship from that day up to the Ides (15th) of March. Was ever any footman so humble, so grovelling? He could do nothing by himself; he asked for everything; he used to poke his head in at the back of the litter and ask his colleague for places which he might retail. The day for XXXIII Dolabella's election arrives. The lots are drawn for the first place in voting: he makes no sign. The result is reported: he holds his tongue. The first class is called and its vote reported; next, in the usual course, the knights give their votes; then the second class is called: and all this took less time than I have taken in describing it. When the whole business was 83 completed, this admirable augur—a second C. Lælius, you might call him—said curtly that the election was 'postponed.' What extraordinary insolence! What had you seen, or felt, or heard? You did not then and do not now assert that you had really observed the heavens. The impediment was therefore that defect in the auspices, the occurrence of which you had foreseen on the first of January, and announced so long before the time. Thus then, I protest, to your own grievous injury, as I hope, rather than to the injury of Romè, you falsified the auspices; you hampered the action of the Roman people by a religious difficulty; you, as augur, reported so as to impede a brother augur, and a consul so as to thwart the other consul. I will say no more, that I may not

be thought to be cavilling at Dolabella's acts as consul, which must some day be referred to our board.

- 84 But mark, my lords, the presumption and arrogance of the man. So long as you choose, Dolabella's consulship is invalid: on the contrary, when you so please, Dolabella's election was no violation of the auspices. If it is immaterial when an augur reports in the terms in which you reported on that occasion, you must admit that, when you declared the election 'postponed,' you were drunk: but if there is any meaning in those terms, I demand as one augur of another to know what that meaning is.

- But for fear my speech should pass without comment over the most brilliant of his many exploits, let us now
XXXIV turn to the Feast of the Luperci. He cannot conceal his alarm, my lords; he is visibly agitated; he perspires, he grows pale. Well, let him do anything but be sick in public, as he was in the Portico of Minucius. But what defence can he make for an act so disgraceful? I am anxious to hear his reply, that I may see if it bears any trace of the huge fee his rhetoric-master received, that is, of the grant in the
85 Leontine Plain. Your colleague was seated on the Rostra, draped in a purple toga, sitting in a chair of gold, wearing a wreath of laurel. You ascend the Rostra, you approach his chair, and—I know you were one of the Luperci, but you ought not to have forgotten that you were the consul—you exhibit a royal crown. A loud groan ran through the forum. Where had you got the crown? You had not picked it up in the street; no, you had brought it with you from your

own house ; the crime was premeditated and planned. You tried to place the crown on his head amid uproar from the people ; he continued to reject it amid applause. You then, you accursed villain, were the only man in existence, who having paved the way for a despotism, were anxious to have as your master the man who was your own colleague : you were the only man base enough to try experiments on the patience and endurance of the Roman people. But you even 86
tried to appeal to his compassion ; you threw yourself humbly at his feet. What was your petition ? to become his slave ? that boon should have been sought for yourself alone, who from early boyhood had lived as one ready to submit to anything, ready to become a slave : from us and from the Roman people you certainly had no such commission. How high-flown was your eloquence, when you addressed the people without your clothes ! Could anything be more disgraceful or indecent ? more deserving of any kind of punishment ? Are you waiting till we goad your dull senses into action ? No, if you have any vestige of feeling, these words of mine must surely torture you and cut you to the heart. I do not wish to impair the renown of our illustrious liberators ; but my anguish compels me to say this. Is it not most monstrous that the man who proffered the crown should survive, when all allow that the man who spurned it has been rightly put to death ? He even gave orders that a note 87
should be made in the Calendar against the Lupercalia, to the effect that C. Cæsar, perpetual dictator, had been offered despotic power by M. Antonius, consul,

at the command of the people, and that Cæsar had refused to accept it. I am not astonished now that you are disquieted by peace and order; that you hate not only the sight of Rome but the light of day; that you live with your robber-band not only extravagantly but even without thought for the morrow. It is only natural: where will you be in time of peace? How will you stand with regard to the laws or the regular courts of Rome, all of which you, as far as you could, superseded by a despotism under the style of monarchy? Was it for this that L. Tarquinius was expelled, Sp. Cassius, Sp. Mælius, and M. Manlius slain, that many centuries afterwards M. Antonius should perpetrate the unhallowed act of establishing a king of Rome?

XXXV But let us return to the auspices, the question on
88 which Cæsar was intending to raise a discussion in the senate on the Ides of March. Let me put this point to you: what line would you have taken on that occasion? I was informed that you had come down carefully prepared, because you thought that I was likely to say something about the auspices, which you had falsified, but which had of course to be obeyed. The fortune of Rome prevented that debate from taking place. Has the death of Cæsar also prevented you from forming an opinion as to those auspices? But the incident which I have mentioned must take precedence of the matters which I had begun to discuss. How fast you ran, how alarmed you were on that glorious day! How soon your guilty conscience made you despair of your life! Yet after your first flight you were allowed,

by the mercy of those who did not wish you to be harmed if you behaved sensibly, to retire secretly to your house. Alas! my forecasts of the future have 89 ever been true, yes, too true, in vain! I assured our great liberators in the Capitol, when they desired me to go to you and urge you to join in the defence of Rome, that, as long as you were frightened, you would promise anything; as soon as you ceased to be afraid, you would be your old self again. So when the rest of the ex-consuls were going to and fro, my opinion remained unaltered. I did not see you either that day or the next, nor did I believe that there were any terms on which a secure compact could be made by honest citizens with a most cruel foe. Two days later I came to the Temple of Earth, unwillingly enough, since every approach was occupied by armed men. Was not that a great day for you, Antonius? 90 Although you have suddenly broken out into open hostility against me, still I am sorry for you for having been so much your own enemy!

Great heavens! what a man, what a great man you XXXVI would have been, if you could have preserved the attitude of that day! We should still be enjoying the peace which was secured by your giving as a hostage that young aristocrat, M. Bambalio's grandson.¹ But though on that day fear, never for long the motor force of duty, made you act rightly, yet your audacity, which never leaves you when fear is absent, soon made you wicked again. Though even then, when in

¹ *I.e.* his own son by Fulvia, whose father was M. Fulvius Bambalio, a contemptible person.

spite of my opposition they all held you to be quite honest, you presided in the most criminal manner at the tyrant's funeral, if funeral it can be called. You are responsible for the delivery of that fine panegyric, 91 for that pathetic, that inflammatory address. You, you I say, kindled those flames, the flames of the fire which half-charred his corpse, and the flames which utterly consumed the house of L. Bellienus. You sent those desperate ruffians, mostly slaves, whom we only routed by hand-to-hand fighting, to attack our houses. But you very soon washed off the grime and smoke, and passed the remaining days in the Capitol making those glorious decrees of the senate, that no lists of indemnities or of special privileges for individuals should be posted after the Ides of March. You remember what you said about the exiles, you know what you said about an indemnity for them. But the finest decree of all was the one in which you abolished for ever the title of dictator ; and by making this you showed that you felt such hatred for despotism, that you abolished every possible name for it on account of your fear of 92 the last dictator.¹ Others thought that constitutional government was restored, but I did not, since with you at the helm I feared every sort of disaster. Was I wrong ? Could he have maintained his disguise any longer ? You saw for yourselves lists posted in every part of the Capitol, and immunities of various kinds were for sale not only to individuals but to whole com-

¹ Madyig thinks that this passage is corrupt, and that the meaning is that Antonius abolished the dictatorship on account of the proximity of the name and office to that of royalty.

munities ; the franchise was granted not to individuals by name but to entire provinces. So if these grants remain valid, as they cannot if Rome is to continue to exist, you have lost, my lords, whole provinces ; and not merely the revenues, but the whole sovereignty of the Roman people has been frittered away over the counter at Antonius's house. Where are the seven hundred XXXVII millions of sesterces, the sum total in the accounts 93 which are kept at the Temple of Plenty ? His was a blood-stained hoard, but still, if it was not to be given to those to whom it really belonged, it might save us from the property-tax. And the forty millions of sesterces which you owed on the Ides of March, how was it you had ceased to owe them on the first of April ? The purchases which were being made from your gang, not without your knowledge, were countless ; but there was one really remarkable decree, that affecting King Deiotarus, a firm friend of Rome, posted up in the Capitol. And when that decree was published no one could refrain from laughter even in his indignation. Who ever hated another man more than Cæsar hated 94 Deiotarus ? He hated him as much as he hated the senate, the knights, the people of Massilia, as he hated all whom he knew to retain any affection for the Roman constitution. So although King Deiotarus never secured any equity either in person or by his ambassadors from Cæsar while he lived, he has become a favourite with him since his death. When Cæsar visited him, he had sent for his host, he had named a sum, he had obtained the money, he had established one of his Greek retinue in Deiotarus's tetrarchate, he had de-

prived him of Armenia, which had been given him by the senate. All that he took from him while he lived, 95 his dead hand has restored. But what were his expressions? One moment he said it seemed to him 'fair,' another 'not unfair.' What a wonderful collocation of terms! Cæsar himself—I always appeared to plead before him for the absent Deiotarus—Cæsar never said that any of our demands for him 'seemed to him fair.' A bond for ten millions of sesterces was agreed to by his envoys, men honest but timid and inexperienced, without my advice or that of the king's other friends in Rome, in Antonius's wife's rooms, a place where many things have been and are being sold. But I advise you to consider what action you will take on this bond; for Deiotarus of his own motion and without the help of any of Cæsar's papers, as soon as he heard of Cæsar's death, recovered his own proper 96 possessions with his own sword. He was a sensible man, and knew that it has always been legitimate that things seized by tyrants should be recovered by their proper owners, after the tyrants are killed. So no lawyer, not even the man who is a lawyer in your eyes only and who is acting for you in this affair, will say that anything is due to you on that bond for what was recovered by him before the bond was given. Deiotarus did not buy from you; he was actually in possession, before you could sell him his own property. He was a man: we are contemptible creatures, hating that man and upholding the acts for which he was XXXVIII responsible.

97 But why need I speak of those interminable notes,

of his assortment of autograph papers? There is a retail trade in them now, and men hawk them about openly like the programmes of the gladiatorial shows. And thus such heaps of money are being accumulated in Antonius's house, that the amounts are now estimated by weight and not by tale. But how blind cupidity is! A notice was recently posted to the effect that the richest communities in Crete are exempted from the tribute, and it is provided that after the governorship of M. Brutus Crete is to cease to be a province. Are you really sane? Ought you to be at large? Could it have been a decree of Cæsar's which makes Crete autonomous 'after the expiration of M. Brutus's term of office,' when Crete had no connexion with Brutus before Cæsar's death? But by the sale of this decree—don't think it has been wholly ineffective, my lords—you have lost the province of Crete. There has never been any one wanting to purchase anything who has not found Antonius willing to sell it. The bill relating to the exiles too, which 98 you posted, did Cæsar move that? I do not wish to persecute any ruined man: I am only complaining, in the first place of the slur cast on the recall of those whose cases Cæsar decided to distinguish; in the second place I know not why you do not bestow the same boon on the rest of the exiles. As it is, there are not more than three or four persons left; they are in the same evil plight, and why do they not equally enjoy your clemency? Why do you treat them like your uncle? You declined to move for his recall, when you moved for that of the rest: you afterwards

induced him to stand for the censorship, and you promoted his candidature in a way which left men both
99 amused and indignant. But why did you not hold the election? was it because a tribune of the plebs reported an ominous flash of lightning on the left? When your own interests are involved, the auspices do not count: when it is only your relations who suffer, you become very scrupulous. Did you not throw over your uncle in the matter of the Commission of Seven? Some one turned up, whom I suppose you could not refuse without personal risk. In short, you have loaded him with every kind of insult, though you ought to have treated him as a second father, if you had any natural affection. You have divorced his daughter, your first cousin, having procured and previously arranged another alliance. Nor is that enough: you have brought a foul charge against a most virtuous woman. Is there any aggravation that can be added? Yes, you have not been content with this. In a very full house on the first of January, your uncle being present, you dared to assert that your reason for hating Dolabella was that you had ascertained him to have had criminal connexion with your cousin and wife. Who can decide which was the most prominent feature of his conduct, impudence in saying this in the senate, unscrupulousness in saying it against Dolabella, indecency in saying it before his uncle, or cruelty in saying it against his poor wife with
XXXIX such ribaldry and unfeelingness? But let us revert
100 to the autograph papers. How did you conduct your investigations? Cæsar's acts were ratified by the

senate to secure peace ; but the senate ratified only Cæsar's own acts, and not everything that was stated to be Cæsar's act by Antonius. Whence have all these documents of yours been launched upon us ? Who guarantees them on production ? If they are false, why are they being accepted ? If they are genuine, why are they being sold ? But the terms of the decision were that you, the consuls, should proceed to investigate Cæsar's acts on the first of June with a committee. What was the committee ? whom did you ever summon to a meeting ? What did you understand by the first of June ? was it that first of June on which you returned surrounded with a bodyguard from your inspection of the settlements of the veterans ?

What a magnificent progress you made in April and May, I mean on that occasion when you tried to plant a settlement even at Capua ! We know how you quitted Capua, or rather how you all but could not quit Capua ; now you are again threatening that town. Would that you would try the experiment 101 again, that the 'all but' might be omitted this time ! But how renowned is that visit of inspection ! Need I describe your sumptuous dinners, your frantic intoxication ? In all those proceedings you injured yourself ; the injury you did us is different. When the Campanian Land was being removed from the list of taxable lands, to supply allotments for distribution to the soldiers, we still thought it a serious loss to the state ; you went a step further, dividing it among the companions who shared your gluttony and gambling : I mean, my lords, the low actors and

actresses who were settled on the Campanian Lands. If I say anything more about the Leontine Lands, it is because these tracts of arable land in the Campanian and Leontine districts were once reckoned very fertile and productive portions of the inheritance of the Roman people. Your doctor got three thousand acres; what would he have got, if he had cured you? Your rhetoric master two thousand; how many more, if he could have made you an able speaker? But let us return to your journey and to Italy.

XL You planted a settlement at Casilinum, where
102 Cæsar had previously founded one. You consulted me by letter, about Capua it is true, but I should have given the same answer about Casilinum. You asked whether it was legally in your power to plant a new settlement in a place where there was one already. I said that no new settlement could legally be planted in an old settlement which had been founded with the proper ceremonies, without impairing its rights: to your letter I replied that new settlers might be added to the list of citizens. You however were so carried away by arrogance that you disregarded all the legal and ceremonial rights of the case and planted a new settlement at Casilinum, where one had been founded only a few years before; you went so far as to hoist the flag and mark out the site with the plough as usual. Yes, and with that ploughshare you almost grazed the gate of Capua, thus
103 eneroaching on the demesne of a flourishing settlement. Fresh from this high-handed disregard of religious regulations, you pounced on the estate at

Casinum of the upright and pious M. Varro. What right, what excuse did you allege? 'The same,' you will say, 'which I had to the landed property of the heirs of L. Rubrius and the heirs of L. Turseus, and to the rest of my innumerable estates.' Well, if they were sold to you by auction, let the confiscation and sale hold good, let the accounts be accepted; but let them be Cæsar's and not your own compilations, let them be the accounts in which you are debited with the purchase-money and not those by which you wiped off the debt. But who says that Varro's estate at Casinum was for sale? who saw the auction held to sell it? who heard the auctioneer put it up? You say you sent to Alexandria to buy it from Cæsar. Of course it was too much trouble to wait for his presence! But I say who ever heard—and yet no one ever had more persons interested in his fortunes—that Varro's property had been affected in any way? If on the contrary Cæsar really wrote to you to restore his estates, how can we adequately describe your impudence? Withdraw for a short time the swords we see around us. You will soon learn that Cæsar's confiscations are one thing, and your audacity and presumption quite another matter: not only the lawful owner, but any acquaintance, neighbour, family-friend, or agent of his will soon eject you from that house. 104

Ah! how many days you indulged in disgraceful revelry and riot in Varro's house! from an early hour of the morning you and your friends were drinking, dicing, and being sick. I grieve for those unhappy halls, 'passed to a lord how strange!' Though how can

Antonius be called their lord? still by how strange a tenant were they inhabited! Varro intended that house to be a place for his own studies, not a public haunt of
105 passions. Ah! remember the words and thoughts, remember the literary pursuits for which that house was once famed! The laws of Rome, the records of past ages, every branch of learning and every school of philosophy. But when you were the tenant—I will not say the owner—every part of the house echoed with drunken yells, the floors were swimming and the walls dripping with wine; boys of noble birth were mixed up with men of infamous life, and common prostitutes with noble dames. People came to visit him from Casinum, Aquinum, and Interamna; no one was let in; and a good thing too, since by this disgusting man the insignia of his high office were being dragged
106 through the dirt. When on his way from Casinum to Rome he approached Aquinum, a large crowd—the borough being a populous one—came out to meet him. But the boor was carried through the town in a closed litter, like a corpse. It was a foolish act on the part of the Aquinates: still their town was on his route. What did Anagnia do? Though the town lay off the main road, still the inhabitants came down to pay him respect exactly as if he were consul. It is an incredible story; but it was only too notorious at the time that no notice was taken of the attention, although Antonius had with him two natives of Anagnia, Mustela and Laco, one of whom has charge of his armoury and the
107 other of his plate-chest. Need I repeat to you the threats and insults with which he abused the natives of

Sidicinum and persecuted those of Puteoli, because they had put themselves under the patronage of C. Cassius and the two Bruti? They had done this with great enthusiasm, judiciousness, kindness, and affection; they had not chosen them under compulsion and force of arms as you and Basilus were chosen and others like you, men whom no one would care to have as clients, still less to be clients to them.

Meanwhile in your absence, what a glorious day XLII that was for your colleague, when he threw down the monument in the forum to which you used to pay reverence! When you heard the news, you fainted, as was agreed by all who were with you. What happened afterwards I know not—I suppose the fear of your soldiers was sufficient; it is certain you brought your colleague down from his pinnacle and made him—well, not even now like you, but at least quite unlike his former self. But think of your return thence to Rome! 108 think of the panic which pervaded the city! We remembered the usurpation of Cinna, the subsequent tyranny of Sulla, we had just witnessed the despotism of Cæsar. Cæsar perhaps had swords at his command, but they were concealed and at any rate not very numerous; but your despotism, how un-Roman it all is! Your armed mercenaries follow you in close order; we see litters full of shields borne along. And it is no new thing, my lords; we have become hardened by the frequent recurrence of the spectacle. On the first of June when we wished to attend the senate according to arrangement, we were forced to disperse suddenly in great alarm. But Antonius, having no 109

need for a senate, did not regret any one's absence, but was delighted at our withdrawal and at once carried out his astounding schemes. Though he had maintained the genuineness of Cæsar's manuscript notes for his own personal profit, he annulled Cæsar's published laws, and good laws too, in order to damage his country. He extended the term of years for provincial governments: and simultaneously, though he ought to have been a firm supporter of Cæsar's acts, he rescinded Cæsar's acts both in public and in private matters. In public affairs there is nothing more secure than a law: in private matters the most binding thing is a will. Some of Cæsar's laws Antonius swept away without even publishing the text of his own measures; others he abolished by means of such publication. Cæsar's will he invalidated, though the validity of wills has always been maintained for even the humblest citizens. The statues and pictures which Cæsar left to the public with his pleasure-grounds, he conveyed away partly to Pompeius's gardens and partly to Scipio's country-house.

XLIII And you are the man who cherishes Cæsar's memory!

110 You love your dead master! Had he obtained any honour greater than the assignment of a sacred couch, an image, a gable on his house, and a priest? Has the deified Julius then a priest, as Jupiter, Mars, and Quirinus have theirs, in the person of M. Antonius? Then why are you delaying? Why do you not get yourself installed by an augur? Choose your day, look for some one to install you: we are colleagues as augurs; no one will refuse to act. Oh you

execrable wretch! whether you are Cæsar's priest or the priest of any dead man? My next question is whether you are ignorant what day to-day is? Do you not know that yesterday was the fourth day of the Roman Games held in the Circus? Do you not know that you yourself proposed a bill to the popular assembly that there should be a fifth day added in honour of Cæsar? Why are we not in our purple robes? Why do we allow the honour conferred on Cæsar by your law to be unobserved? Or did you permit the public thanksgivings to be desecrated by the addition of the extra day, but refuse to abide such a desecration of the ceremonial banquet? Either ride rough-shod over the ordinary religious scruples in all points, or respect them in every particular. You ask I I I me whether I approve of the grant of the sacred couch, the gable on his house, and the priest. Personally I disapprove of all. But you, who uphold Cæsar's acts, what excuse can you give for insisting on some of these honours and taking no interest in others? Your reason, perhaps, is in your wish to indicate that you estimate everything by your own advantage and not by the honour accruing to him? But what is your reply to all this? I am anxious to get a specimen of your eloquence. I know your grandfather to have been a very able speaker, but your style in speaking is even more intelligible and open: your grandfather never addressed a meeting without his clothes: we have seen his grandson's honest breast bared to public view. But will you reply to this? or will you dare to open your mouth at all? Will you find any point in my

long speech, on which you can trust yourself to answer me?

112 But let us dismiss the past. Take this single day, this single day, I say, which is now passing, this moment of time in which I speak, and find a defence for it, if you can. Why is the senate surrounded by a ring of armed men? Why do your henchmen listen with their hands on their swords? Why are the great doors of the Temple of Concord not open? Why have you brought down to the Forum these bowmen from Ituræa, the most uncivilised country in the world? He says it is to protect his personal safety. Is it not better, then, to die a thousand deaths, than not to be able to remain alive in one's own country without the protection of armed men? There is no protection there, believe me: you ought to be entrenched in the affection and good-will of your fellow-citizens, not behind your armed men.

113 The Roman people will wrest and wring your weapons from you; and may we survive to see it! but however you deal with us, you cannot, believe me, while you retain your present designs, be long untouched. In fact your wife, though she is far from niggardly,—the term is not disrespectful,—has too long been in arrears with the third instalment of what she owes to the Roman people. Rome has those to whom she can intrust the helm; and in whatever part of the world they are, there will be found the complete defence of the state, or rather Rome herself, who has as yet only avenged her wrongs but has not regained her strength. Rome has assuredly her young men of

the highest rank prepared to defend her: let them retire as studiously as they like in the interests of peace, they will be recalled by the voice of their country. The name of peace is dear, and the work of peace is truly beneficial; but there is a vast difference between peace and slavery. Peace is the tranquil enjoyment of freedom; slavery is the last and worst of evils, and must be resisted by war, resisted even by death. And even if our great liberators have 114 withdrawn themselves from our gaze, they have left us the example of their great achievement. They did what no one had done before them. Brutus declared war on Tarquinius, who was king at a time when a king might exist at Rome. Sp. Cassius, Sp. Mælius, M. Manlius were killed on suspicion of aiming at regal power. Our friends have been the first to attack and slay not one who was aiming at but one who was in possession of a throne. The deed they did is in itself a glorious and superhuman act, and it is moreover set before us for imitation; and the more so that they have won by that act a fame which towers even to heaven. And though the consciousness of having performed a most illustrious deed is its own best reward, still, I think, no mortal should despise the guerdon of immortal glory.

Recall therefore, M. Antonius, that memorable day XLV on which you declared the dictatorship abolished; 115 call up vividly to your eyes the joy of the senate and the people of Rome; contrast it with this awful traffick-
ing¹ of yourself and your friends: and then you will

¹ Reading *nundinatione* instead of Kayser's *mutatione*.

see what a gulf there is fixed between gain and glory. But no doubt, as some men are prevented by a diseased or torpid condition of the palate from enjoying the taste of food, so the vicious, the grasping, and the criminal have no relish for true glory. Yet if glory cannot allure you to right courses, has fear no power to deter you from the foulest deeds? You do not dread the arm of the law. If you rely on your innocence, I praise you; but if on the violence at your command, will you never understand what the man, who does not fear the law for such reasons as yours, must necessarily apprehend? But if you do not fear brave men and eminent citizens, because your person is secured against them by your armed followers, your own friends, believe me, will not much longer bear with you. And what sort of existence is it for a man to fear his own friends day and night? Yet you cannot pretend that they are bound to you by greater obligations than those by which your master had secured certain of those who slew him, or that you are worthy in any respect to be compared with him. He possessed genius, method, memory, culture, a mind painstaking, thoughtful, and industrious; his wars, though ruinous to our constitution, were still imposing. For many years he had set his mind on regal power, and after much labour and many perils he had accomplished his design; by shows and public buildings, by bounties and banquets, he had conciliated the thoughtless masses; he had secured his adherents by substantial benefits, and his opponents by a show of clemency. In a word, he had at last brought a com-

munity of free men, partly terrorised and partly acquiescent, to tolerate a slavery grown familiar. I can XLVI
compare you with him in your appetite for despotism, 117
but in no other respect are you in any way worthy to be compared. Still, among all the evils of which he left the indelible mark on our unhappy country, there is this much good, that the Roman people has learnt at last how much to trust this man or that, on whom to rely, of whom to beware. Have you not laid this to heart? Do you not comprehend that brave men require only to have learnt the lesson, how essentially noble, how deserving of gratitude, how sure of renown, is the act of tyrannicide? Or do you think that when men did not endure him, they will bear 118
with you? There will soon, believe me, be competition for this task; and the moment to strike, if it is long in coming, will be anticipated!

Reflect, I pray you, and be wise in time; remember your ancestors and not your associates. Treat me as you will; but be reconciled to your country. However you will take your own course; I will state my position plainly. I defended my country when I was a young man; I will not desert her in my old age. I defied Catilina's swords; I shall never quail before yours. Nay, I would willingly bare my breast to them, if the freedom of this country could be secured at once by my death, that the anguish of Rome might at last effect the deliverance with which it has been so long in travail. Yes, if twenty years ago in this very temple I said that 119
a man who had lived to be consul could not complain of an early death, how much more truly shall I say the

same of a man who is advanced in years? To me, indeed, my lords, death is now actually desirable, since I have discharged all the duties that have been committed to me and all that I have undertaken. I have but two desires now, the one that my dying eyes may see the Roman people still in the enjoyment of freedom—no greater boon can be granted me by heaven; the other, that every man may receive that recompense, which his own conduct towards his country deserves.

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Cicero, Marcus Tullius
The speeches of M. Tulli
Cicero against Catiline and
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